



OFFICE OF THE PROSECUTING ATTORNEY  
24<sup>TH</sup> JUDICIAL CIRCUIT  
HAMILTON COUNTY, INDIANA

## PRESS RELEASE

Friday, July 25, 2014

Following a lengthy investigation conducted by the United States Drug Enforcement Administration and the Hamilton/Boone County Drug Task Force, law enforcement officers have arrested (or are seeking to arrest) the below individuals following the filing of charges against and the issuance of arrest warrants for the individuals:

- Larry J. Ley, M.D., Noblesville (29D01-1407-FB-006027);
- George Agapios, M.D., Fishers (29D01-1407-FB-006028);
- Ronald Vierk, M.D., Richmond (29D01-1407-FB-006029);
- Derek Tislow, Avon (29D01-1407-FB-006030);
- Cassy Bratcher, Carmel (29D01-1407-FB-006031);
- Andrew Dollard, Carmel (29D01-1407-FB-006032);
- Eric W. Ley, Noblesville (29D01-1407-FB-006033) (not yet in custody);
- Yvonne S. Morgan, Eaton, Ohio (29D01-1407-FB-006034); and
- Jessica Callahan, Muncie (29D01-1407-FB-006035).

The charges, filed on July 25, 2015 are pending in Hamilton Superior Court No. 1 in Noblesville under the above cause numbers.

The charges against each of these individuals include a count of Conspiracy to Commit Dealing in a Schedule III Controlled Substance, and arise out of the activities of the Drug & Opiate Recovery Network (D.O.R.N.) or Living Life Clean organizations having locations in Carmel, Noblesville, Kokomo, Centerville, and Muncie.

Additional individuals, including Luella Bangura, M.D., Joseph Mackey, and Felicia Reid, were also arrested pursuant to arrest warrants issued in Howard County as part of this investigation.

The fact that a defendant has been charged with a crime is merely an accusation, and the defendant is presumed innocent until and unless proven guilty.

Due to the likelihood of inquiries, the State provides this release and copy of the charging information and probable cause affidavit for your reference.

No further comment will be provided, but this release will be supplemented with the court dates that will be set upon the individuals' initial hearings.

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FILED

IN THE HAMILTON CIRCUIT/SUPERIOR COURTS

STATE OF INDIANA

2014 JUL 25 AM 8:00  
SS:

COUNTY OF HAMILTON

HAMILTON COUNTY COURTS

STATE OF INDIANA

VS.

LARRY J. LEY, M.D.

Noblesville, IN 46062

OLN: [REDACTED]  
DOB: 1945  
SSN: [REDACTED]

PHYSICAL DESCRIPTION

Race: W Sex: Male  
Height: 6'03" Weight: 240  
Eyes: Brown Hair: Brown

CAUSE NO. 29 D01- 1407- FB-006027

INFORMATION FOR:

Count 1:  
Conspiracy to Commit Dealing in a Schedule  
III Controlled Substance  
I.C. 35-48-4-2(a)(1) and I.C. 35-41-5-2  
a Class B Felony

Count 2:  
Dealing in a Schedule III Controlled  
Substance  
I.C. 35-48-4-2(a)(1)  
a Class B Felony

Count 3:  
Dealing in a Schedule III Controlled  
Substance  
I.C. 35-48-4-2(a)(1)  
a Class B Felony

Count 4:  
Dealing in a Schedule III Controlled  
Substance  
I.C. 35-48-4-2(a)(1)  
a Class B Felony

Count 5:  
Dealing in a Schedule III Controlled  
Substance  
I.C. 35-48-4-2(a)(1)  
a Class B Felony

Count 6:  
Dealing in a Schedule III Controlled  
Substance  
I.C. 35-48-4-2(a)(1)  
a Class B Felony

STATE'S COPY

CHARGING INFORMATION

*State v. Ley, Agapios, Vierk, Tislow, Bratcher, Dollard, Ley (Eric), Morgan, & Callahan*

Count 7:

Dealing in a Schedule III Controlled  
Substance

I.C. 35-48-4-2(a)(1)

a Class B Felony

Count 8:

Dealing in a Schedule III Controlled  
Substance

I.C. 35-48-4-2(a)(1)

a Class B Felony

Count 9:

Dealing in a Schedule III Controlled  
Substance

I.C. 35-48-4-2(a)(1)

a Class B Felony

Count 10:

Dealing in a Schedule III Controlled  
Substance

I.C. 35-48-4-2(a)(1)

a Class B Felony

Count 11:

Corrupt Business Influence

I.C. 35-45-6-2(3)

a Class C Felony

CHARGING INFORMATION

*State v. Ley, Agapios, Vierk, Tislow, Bratcher, Dollard, Ley (Eric), Morgan, & Callahan*

STATE OF INDIANA

VS.

**GEORGE AGAPIOS, M.D.**

[REDACTED]  
Fishers, IN 46038

OLN: [REDACTED]

DOB: [REDACTED] 1967

SSN: [REDACTED]

PHYSICAL DESCRIPTION

Race: W Sex: Male

Height: 6'00" Weight: 195

Eyes: Brown Hair: Black

CAUSE NO. 29 D01-1407-FB-006028

INFORMATION FOR:

Count 1:

Conspiracy to Commit Dealing in a Schedule  
III Controlled Substance

I.C. 35-48-4-2(a)(1) and I.C. 35-41-5-2  
a Class B Felony

Count 2:

Dealing in a Schedule III Controlled  
Substance

I.C. 35-48-4-2(a)(1)  
a Class B Felony

Count 3:

Dealing in a Schedule III Controlled  
Substance

I.C. 35-48-4-2(a)(1)  
a Class B Felony

Count 4:

Dealing in a Schedule III Controlled  
Substance

I.C. 35-48-4-2(a)(1)  
a Class B Felony

Count 5:

Corrupt Business Influence

I.C. 35-45-6-2(3)  
a Class C Felony



CHARGING INFORMATION

*State v. Ley, Agapios, Vierk, Tislow, Bratcher, Dollard, Ley (Eric), Morgan, & Callahan*

STATE OF INDIANA

VS.

**RONALD VIERK, M.D.**

[REDACTED]  
Richmond, IN 47374

OLN: [REDACTED]

DOB: 1955

SSN: [REDACTED]

PHYSICAL DESCRIPTION

Race: W Sex: Male

Height: 5'10" Weight: 185

Eyes: Hazel Hair: Blond

CAUSE NO. 29 D01- 1407 - FB-006029

INFORMATION FOR:

Count 1:

Conspiracy to Commit Dealing in a Schedule III

Controlled Substance

I.C. 35-48-4-2(a)(1) and I.C. 35-41-5-2

a Class B Felony

Count 2:

Corrupt Business Influence

I.C. 35-45-6-2(3)

a Class C Felony

CHARGING INFORMATION

*State v. Ley, Agapios, Vierk, Tislow, Bratcher, Dollard, Ley (Eric), Morgan, & Callahan*

STATE OF INDIANA

VS.

DEREK S. TISLOW

Avon, IN 46123

OLN: [REDACTED]

DOB: [REDACTED] 1972

SSN: [REDACTED]

PHYSICAL DESCRIPTION

Race: W Sex: Male

Height: 5'11" Weight: 175

Eyes: Brown Hair: Brown

CAUSE NO. 29 D01-1407-FB-006030

INFORMATION FOR:

Count 1:

Conspiracy to Commit Dealing in a Schedule  
III Controlled Substance

I.C. 35-48-4-2(a)(1) and I.C. 35-41-5-2  
a Class B Felony

Count 2:

Dealing in a Schedule III Controlled  
Substance

I.C. 35-48-4-2(a)(1) and I.C. 35-41-2-4  
a Class B Felony

Count 3:

Dealing in a Schedule III Controlled  
Substance

I.C. 35-48-4-2(a)(1) and I.C. 35-41-2-4  
a Class B Felony

Count 4:

Dealing in a Schedule III Controlled  
Substance

I.C. 35-48-4-2(a)(1) and I.C. 35-41-2-4  
a Class B Felony

Count 5:

Dealing in a Schedule III Controlled  
Substance

I.C. 35-48-4-2(a)(1) and I.C. 35-41-2-4  
a Class B Felony

Count 6:

Corrupt Business Influence

I.C. 35-45-6-2(3)  
a Class C Felony

CHARGING INFORMATION

State v. Ley, Agapios, Vierk, Tislow, Bratcher, Dollard, Ley (Eric), Morgan, & Callahan

CAUSE NO. 29 D01-1407 -FB-006031

STATE OF INDIANA

VS.

CASSY LINN BRATCHER

[REDACTED]  
Carmel, IN 46033

OLN: [REDACTED]

DOB: 1977

SSN: [REDACTED]

PHYSICAL DESCRIPTION

Race: W Sex: Female

Height: 5'07" Weight: 125

Eyes: Brown Hair: Brown

INFORMATION FOR:

Count 1:

Conspiracy to Commit Dealing in a Schedule  
III Controlled Substance

I.C. 35-48-4-2(a)(1) and I.C. 35-41-5-2  
a Class B Felony

Count 2:

Dealing in a Schedule III Controlled  
Substance

I.C. 35-48-4-2(a)(1) and I.C. 35-41-2-4  
a Class B Felony

Count 3:

Dealing in a Schedule III Controlled  
Substance

I.C. 35-48-4-2(a)(1) and I.C. 35-41-2-4  
a Class B Felony

Count 4:

Dealing in a Schedule III Controlled  
Substance

I.C. 35-48-4-2(a)(1) and I.C. 35-41-2-4  
a Class B Felony

Count 5:

Dealing in a Schedule III Controlled  
Substance

I.C. 35-48-4-2(a)(1) and I.C. 35-41-2-4  
a Class B Felony

Count 6:

Corrupt Business Influence

I.C. 35-45-6-2(3)  
a Class C Felony

CHARGING INFORMATION

*State v. Ley, Agapios, Vierk, Tislow, Bratcher, Dollard, Ley (Eric), Morgan, & Callahan*

STATE OF INDIANA

VS.

ANDREW J. DOLLARD

Carmel, IN 46033

OLN:

DOB: 1973

SSN:

PHYSICAL DESCRIPTION

Race: W Sex: Male

Height: 6'03" Weight: 210

Eyes: Brown Hair: Black

CAUSE NO. 29 D01-1407-FB-006032

INFORMATION FOR:

Count 1:

Conspiracy to Commit Dealing in a Schedule III  
Controlled Substance

I.C. 35-48-4-2(a)(1) and I.C. 35-41-5-2  
a Class B Felony

Count 2:

Dealing in a Schedule III Controlled Substance

I.C. 35-48-4-2(a)(1) and I.C. 35-41-2-4  
a Class B Felony

Count 3:

Corrupt Business Influence

I.C. 35-45-6-2(3)  
a Class C Felony

STATE OF INDIANA

VS.

ERIC W. LEY

Noblesville, IN 46062

OLN:

DOB: 1975

SSN:

PHYSICAL DESCRIPTION

Race: W Sex: Male

Height: 6'01" Weight: 200

Eyes: Blue Hair: Brown

CAUSE NO. 29 D01-1407-FB-006033

INFORMATION FOR:

Count 1:

Conspiracy to Commit Dealing in a Schedule III  
Controlled Substance

I.C. 35-48-4-2(a)(1) and I.C. 35-41-5-2  
a Class B Felony

Count 2:

Corrupt Business Influence

I.C. 35-45-6-2(3)  
a Class C Felony

CHARGING INFORMATION

State v. Ley, Agapios, Vierk, Tislow, Bratcher, Dollard, Ley (Eric), Morgan, & Callahan

CAUSE NO. 29 D01 - 1407 - FB - 006034

STATE OF INDIANA

VS.

YVONNE S. MORGAN

[REDACTED]  
Eaton, OH 45320

OLN: [REDACTED]

DOB: [REDACTED] 1952

SSN: [REDACTED]

PHYSICAL DESCRIPTION

Race: W Sex: Male

Height: 5'07" Weight: 155

Eyes: Green Hair: Brown

INFORMATION FOR:

Count 1:

Conspiracy to Commit Dealing in a Schedule  
III Controlled Substance

I.C. 35-48-4-2(a)(1) and I.C. 35-41-5-2

a Class B Felony

Count 2:

Corrupt Business Influence

I.C. 35-45-6-2(3)

a Class C Felony

STATE OF INDIANA

VS.

JESSICA S. CALLAHAN

[REDACTED]  
Muncie, IN 47304

OLN: [REDACTED]

DOB: [REDACTED] 1977

SSN: [REDACTED]

PHYSICAL DESCRIPTION

Race: W Sex: Female

Height: 5'04" Weight: 120

Eyes: Green Hair: Brown

CAUSE NO. 29 D01 - 1407 - FB - 006035

INFORMATION FOR:

Count 1:

Conspiracy to Commit Dealing in a Schedule  
III Controlled Substance

I.C. 35-48-4-2(a)(1) and I.C. 35-41-5-2

a Class B Felony

CHARGING INFORMATION

*State v. Ley, Agapios, Vierk, Tislow, Bratcher, Dollard, Ley (Eric), Morgan, & Callahan*

BE IT REMEMBERED,

That on this day comes Matthew R. Kestian, who being duly sworn upon his oath, says that in the County of Hamilton, State of Indiana,

STATE OF INDIANA VS. LARRY J. LEY, M.D.

Count 1: Between 12/09/2011 and 6/30/2014 **Larry J. Ley, M.D.**, with the intent to commit Dealing in a Schedule III Controlled Substance agreed with George Agapios, M.D. and/or Luella Bangura, M.D. and/or Ronald Vierk, M.D. and/or Derek S. Tislow and/or Cassy Linn Bratcher and/or Andrew J. Dollard and/or Eric W. Ley and/or Yvonne S. Morgan and/or Jessica S. Callahan to commit Dealing in a Schedule III Controlled Substance and either **Larry J. Ley, M.D.** and/or Georgia Agapios, M.D. and/or Luella Bangura, M.D. and/or Ronald Vierk, M.D. performed an overt act, to-wit: prescribed a Schedule III Controlled Substance outside the usual course of professional medical practice in furtherance of the agreement.

Count 2: On or about 3/25/2014 **Larry J. Ley, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III, by prescribing said controlled substance outside the usual course of professional medical practice.

Count 3: On or about 3/27/2014 **Larry J. Ley, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.

Count 4: On or about 4/1/2014 **Larry J. Ley, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.

Count 5: On or about 4/10/2014 **Larry J. Ley, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.

Count 6: On or about 4/25/2014 **Larry J. Ley, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.

Count 7: On or about 5/1/2014 **Larry J. Ley, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.

Count 8: On or about 5/23/2014 **Larry J. Ley, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.

Count 9: On or about 5/31/2014 **Larry J. Ley, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.

Count 10: On or about 6/20/2014 **Larry J. Ley, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.

Count 11: Between 12/09/2011 and 6/30/2014 **Larry J. Ley, M.D.** was employed by or associated with an enterprise, to-wit: DORN aka Drug & Opiate Recovery Network and/or Living Life Clean and knowingly or intentionally conducted or otherwise participated in the activities of that enterprise through a pattern of racketeering activity, to-wit: Dealing in a Schedule III Controlled Substance by committing two or more of the following overt acts:

- 1) On or about 3/25/2014 **Larry J. Ley, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III, by prescribing said controlled substance outside the usual course of professional medical practice.
- 2) On or about 3/27/2014 **Larry J. Ley, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.
- 3) On or about 4/1/2014 **Larry J. Ley, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.
- 4) On or about 4/10/2014 **Larry J. Ley, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.
- 5) On or about 4/25/2014 **Larry J. Ley, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.
- 6) On or about 5/1/2014 **Larry J. Ley, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.
- 7) On or about 5/23/2014 **Larry J. Ley, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.
- 8) On or about 5/31/2014 **Larry J. Ley, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.

CHARGING INFORMATION

*State v. Ley, Agapios, Vierk, Tislow, Bratcher, Dollard, Ley (Eric), Morgan, & Callahan*

- 9) On or about 6/20/2014 **Larry J. Ley, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.
- 10) **Larry J. Ley, M.D.** owned and operated DORN with offices at 23 East Main Street, Suite 200, Carmel Indiana and/or 813 Westfield Road, Suite 100, Noblesville Indiana and/or 801 Airport Road, Centerville Indiana and/or Living Life Clean with an office at 121 North High Street, Muncie Indiana
- 11) **Larry J. Ley, M.D.** employed George Agapios, M.D. and/or Luella Bangura, M.D. and/or Ronald Vierk, M.D. as addiction specialist to issue controlled substance prescriptions outside the usual course of professional medical practice.
- 12) **Larry J. Ley, M.D.** employed Cassy Linn Bratcher and/or Eric W. Ley and/or Andrew J. Dollard and/or Jessica S. Callahan to aid in the delivery of prescriptions for a controlled substance that Larry J. Ley, M.D., or a doctor employed by him, prescribed outside the usual course of professional medical practice.
- 13) **Larry J. Ley, M.D.** used the proceeds of Dealing in a Schedule III Controlled Substance to acquire an interest in automobiles that were used by employees of DORN aka Drug & Opiate Recovery Network and/or Living Life Clean



STATE OF INDIANA VS. GEORGE AGAPIOS, M.D.

Count 1: Between 12/09/2011 and 6/30/2014 **George Agapios, M.D.**, with the intent to commit Dealing in a Schedule III Controlled Substance agreed with Larry J. Ley, M.D. and/or Luella Bangura, M.D. and/or Ronald Vierk, M.D. and/or Derek S. Tislow and/or Cassy Linn Bratcher and/or Andrew J. Dollard and/or Eric W. Ley and/or Yvonne S. Morgan and/or Jessica S. Callahan to commit Dealing in a Schedule III Controlled Substance and either Larry J. Ley, M.D. and/or **George Agapios, M.D.** and/or Luella Bangura, M.D. and/or Ronald Vierk, M.D. performed an overt act, to-wit: prescribed a Schedule III Controlled Substance outside the usual course of professional medical practice in furtherance of the agreement.

Count 2: On or about 5/3/2014 **George Agapios, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.

Count 3: On or about 5/31/2014 **George Agapios, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.

Count 4: On or about 6/28/2014 **George Agapios, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.

Count 5: Between 12/09/2011 and 6/30/2014 **George Agapios, M.D.** was employed by or associated with an enterprise, to-wit: DORN aka Drug & Opiate Recovery Network and/or Living Life Clean and knowingly or intentionally conducted or otherwise participated in the activities of that enterprise through a pattern of racketeering activity, to-wit: Dealing in a Schedule III Controlled Substance by committing two or more of the following overt acts:

- 1) On or about 5/3/2014 **George Agapios, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.
- 2) On or about 5/31/2014 **George Agapios, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.
- 3) On or about 6/28/2014 **George Agapios, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.

STATE OF INDIANA VS. RONALD A. VIERK, M.D.

Count 1: Between 12/09/2011 and 6/30/2014 **Ronald A. Vierk, M.D.**, with the intent to commit Dealing in a Schedule III Controlled Substance agreed with Larry J. Ley, M.D. and/or and/or George Agapios, M.D. and/or Luella Bangura, M.D. and/or Derek S. Tislow and/or Cassy Linn Bratcher and/or Andrew J. Dollard and/or Eric W. Ley and/or Yvonne S. Morgan and/or Jessica S. Callahan to commit Dealing in a Schedule III Controlled Substance and either Larry J. Ley, M.D. and/or George Agapios, M.D. and/or Luella Bangura, M.D. and/or **Ronald Vierk, M.D.** performed an overt act, to-wit: prescribed a Schedule III Controlled Substance outside the usual course of professional medical practice in furtherance of the agreement.

Count 2: Between 12/09/2011 and 6/30/2014 **Ronald A. Vierk, M.D.** was employed by or associated with an enterprise, to-wit: DORN aka Drug & Opiate Recovery Network and/or Living Life Clean and knowingly or intentionally conducted or otherwise participated in the activities of that enterprise through a pattern of racketeering activity, to-wit: Dealing in a Schedule III Controlled Substance by committing two or more of the following overt acts:

- 1) **Ronald A. Vierk, M.D.** signed prescriptions for a Schedule III Controlled Substance that were delivered to patients on or about 11/ 27/2013 that had been signed and dated on a date other than the date of issuance and outside the usual course of professional medical practice
- 2) **Ronald A. Vierk, M.D.** signed prescriptions for a Schedule III Controlled Substance that were delivered to patients on or about 12/18/2013 that had been signed and dated on a date other than the date of issuance and outside the usual course of professional medical practice
- 3) **Ronald A. Vierk, M.D.** signed prescriptions for a Schedule III Controlled Substance that were delivered to patients on or about 1/15/ 2014 that had been signed and dated on a date other than the date of issuance and outside the usual course of professional medical practice
- 4) **Ronald A. Vierk, M.D.** signed prescriptions for a Schedule III Controlled Substance that were delivered to patients on or about 2/12/ 2014 that had been signed and dated on a date other than the date of issuance and outside the usual course of professional medical practice
- 5) **Ronald A. Vierk, M.D.** signed prescriptions for a Schedule III Controlled Substance that were delivered to patients on or about 2/19/ 2014 that had been signed and dated on a date other than the date of issuance and outside the usual course of professional medical practice
- 6) **Ronald A. Vierk, M.D.** signed prescriptions for a Schedule III Controlled Substance that were delivered to patients on or about 2/26/ 2014 that had been signed and dated

on a date other than the date of issuance and outside the usual course of professional medical practice

- 7) **Ronald A. Vierk, M.D.** signed prescriptions for a Schedule III Controlled Substance that were delivered to patients on or about 3/12/ 2014 that had been signed and dated on a date other than the date of issuance and outside the usual course of professional medical practice
- 8) **Ronald A. Vierk, M.D.** signed prescriptions for a Schedule III Controlled Substance that were delivered to patients on or about 4/2/2014 that had been signed and dated on a date other than the date of issuance and outside the usual course of professional medical practice
- 9) On or about 4/16/2014 **Ronald A. Vierk, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.
- 10) On or about 5/14/2014 **Ronald A. Vierk, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.
- 11) On or about 6/11/2014 **Ronald A. Vierk, M.D.** did knowingly deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by prescribing said controlled substance outside the usual course of professional medical practice.

STATE OF INDIANA VS. DEREK S. TISLOW

Count 1: Between 12/09/2011 and 6/30/2014 **Derek S. Tislow**, with the intent to commit Dealing in a Schedule III Controlled Substance agreed with Larry J. Ley, M.D. and/or George Agapios, M.D. and/or Luella Bangura, M.D. and/or Ronald Vierk, M.D. and/or Cassy Linn Bratcher and/or Andrew J. Dollard and/or Eric W. Ley and/or Yvonne S. Morgan and/or Jessica S. Callahan to commit Dealing in a Schedule III Controlled Substance and either Larry J. Ley, M.D. and/or George Agapios, M.D. and/or Luella Bangura, M.D. and/or Ronald Vierk, M.D. performed an overt act, to-wit: prescribed a Schedule III Controlled Substance outside the usual course of professional medical practice in furtherance of the agreement.

Count 2: On or about 4/25/2014 **Derek S. Tislow** did knowingly aid Larry J. Ley, M.D. deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by delivering a prescription for said controlled substance that Larry J. Ley, M.D. prescribed outside the usual course of professional medical practice.

Count 3: On or about 5/23/2014 **Derek S. Tislow** did knowingly aid Larry J. Ley, M.D. deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by delivering a prescription for said controlled substance that Larry J. Ley, M.D. prescribed outside the usual course of professional medical practice.

Count 4: On or about 6/20/2014 **Derek S. Tislow** did knowingly aid Larry J. Ley, M.D. deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by delivering a prescription for said controlled substance that Larry J. Ley, M.D. prescribed outside the usual course of professional medical practice.

Count 5: On or about 6/28/2014 **Derek S. Tislow** did knowingly aid George Agapios, M.D. deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by delivering a prescription for said controlled substance that George Agapios, M.D. prescribed outside the usual course of professional medical practice.

Count 6: Between 12/09/2011 and 6/30/2014 **Derek S. Tislow** was employed by or associated with an enterprise, to-wit: DORN aka Drug & Opiate Recovery Network and/or Living Life Clean and knowingly or intentionally conducted or otherwise participated in the activities of that enterprise through a pattern of racketeering activity, to-wit: Dealing in a Schedule III Controlled Substance by committing two or more of the following overt acts:

- 1) On or about 4/25/2014 **Derek S. Tislow** did knowingly aid Larry J. Ley, M.D. deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by delivering a prescription for said controlled substance that Larry J. Ley, M.D. prescribed outside the usual course of professional medical practice.
- 2) On or about 5/23/2014 **Derek S. Tislow** did knowingly aid Larry J. Ley, M.D. deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by

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delivering a prescription for said controlled substance that Larry J. Ley, M.D. prescribed outside the usual course of professional medical practice.

- 3) On or about 6/20/2014 **Derek S. Tislow** did knowingly aid Larry J. Ley, M.D. deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by delivering a prescription for said controlled substance that Larry J. Ley, M.D. prescribed outside the usual course of professional medical practice.
- 4) On or about 6/28/2014 **Derek S. Tislow** did knowingly aid George Agapios, M.D. deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by delivering a prescription for said controlled substance that George Agapios, M.D. prescribed outside the usual course of professional medical practice.



STATE OF INDIANA VS. CASSY LINN BRATCHER

Count 1: Between 12/09/2011 and 6/30/2014 **Cassy Linn Bratcher**, with the intent to commit Dealing in a Schedule III Controlled Substance agreed with Larry J. Ley, M.D. and/or George Agapios, M.D. and/or Luella Bangura, M.D. and/or Ronald Vierk, M.D. and/or Derek S. Tislow and/or Andrew J. Dollard and/or Eric W. Ley and/or Yvonne S. Morgan and/or Jessica S. Callahan to commit Dealing in a Schedule III Controlled Substance and either Larry J. Ley, M.D. and/or George Agapios, M.D. and/or Luella Bangura, M.D. and/or Ronald Vierk, M.D. performed an overt act, to-wit: prescribed a Schedule III Controlled Substance outside the usual course of professional medical practice in furtherance of the agreement.

Count 2: On or about 5/1/2014 **Cassy Linn Bratcher** did knowingly aid Larry J. Ley, M.D. deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by delivering a prescription for said controlled substance that Larry J. Ley, M.D. prescribed outside the usual course of professional medical practice.

Count 3: On or about 5/3/2014 **Cassy Linn Bratcher** did knowingly aid George Agapios, M.D. deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by delivering a prescription for said controlled substance that George Agapios, M.D. prescribed outside the usual course of professional medical practice.

Count 4: On or about 5/31/2014 **Cassy Linn Bratcher** did knowingly aid George Agapios, M.D. deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by delivering a prescription for said controlled substance that George Agapios, M.D. prescribed outside the usual course of professional medical practice.

Count 5: On or about 6/28/2014 **Cassy Linn Bratcher** did knowingly aid George Agapios, M.D. deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by delivering a prescription for said controlled substance that George Agapios, M.D. prescribed outside the usual course of professional medical practice.

Count 6: Between 12/09/2011 and 6/30/2014 **Cassy Linn Bratcher** was employed by or associated with an enterprise, to-wit: DORN aka Drug & Opiate Recovery Network and/or Living Life Clean and knowingly or intentionally conducted or otherwise participated in the activities of that enterprise through a pattern of racketeering activity, to-wit: Dealing in a Schedule III Controlled Substance by committing two or more of the following overt acts:

- 1) **Cassy Linn Bratcher** served as the point of contact and/or office manager for the DORN office at 23 East Main Street, Suite 200, Carmel Indiana.
- 2) On or about 5/1/2014 **Cassy Linn Bratcher** did knowingly aid Larry J. Ley, M.D. deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by delivering a prescription for said controlled substance that Larry J. Ley, M.D. prescribed outside the usual course of professional medical practice.

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- 3) On or about 5/3/2014 **Cassy Linn Bratcher** did knowingly aid George Agapios, M.D. deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by delivering a prescription for said controlled substance that George Agapios, M.D. prescribed outside the usual course of professional medical practice.
- 4) On or about 5/31/2014 **Cassy Linn Bratcher** did knowingly aid George Agapios, M.D. deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by delivering a prescription for said controlled substance that George Agapios, M.D. prescribed outside the usual course of professional medical practice.
- 5) On or about 6/28/2014 **Cassy Linn Bratcher** did knowingly aid George Agapios, M.D. deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by delivering a prescription for said controlled substance that George Agapios, M.D. prescribed outside the usual course of professional medical practice.

STATE OF INDIANA VS. ANDREW J. DOLLARD

Count 1: Between 12/09/2011 and 6/30/2014 **Andrew J. Dollard**, with the intent to commit Dealing in a Schedule III Controlled Substance agreed with Larry J. Ley, M.D. and/or George Agapios, M.D. and/or Luella Bangura, M.D. and/or Ronald Vierk, M.D. and/or Derek S. Tislow and/or Cassy Linn Bratcher and/or Eric W. Ley and/or Yvonne S. Morgan and/or Jessica S. Callahan to commit Dealing in a Schedule III Controlled Substance and either Larry J. Ley, M.D. and/or George Agapios, M.D. and/or Luella Bangura, M.D. and/or Ronald Vierk, M.D. performed an overt act, to-wit: prescribed a Schedule III Controlled Substance outside the usual course of professional medical practice in furtherance of the agreement.

Count 2: On or about 4/25/2014 **Andrew J. Dollard** did knowingly aid Larry J. Ley, M.D. deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by delivering a prescription for said controlled substance that Larry J. Ley, M.D. prescribed outside the usual course of professional medical practice.

Count 3: Between 12/09/2011 and 6/30/2014 **Andrew J. Dollard** was employed by or associated with an enterprise, to-wit: DORN aka Drug & Opiate Recovery Network and/or Living Life Clean and knowingly or intentionally conducted or otherwise participated in the activities of that enterprise through a pattern of racketeering activity, to-wit: Dealing in a Schedule III Controlled Substance by committing two or more of the following overt acts:

- 1) **Andrew J. Dollard** served as the point of contact and/or office manager for the DORN office at 813 Westfield Road, Suite 100, Noblesville Indiana.
- 2) On or about 2/28/2014 **Andrew J. Dollard** discussed the DORN business model and lack of competition in order to promote the enterprise.
- 3) On or about 4/25/2014 **Andrew J. Dollard** did knowingly aid Larry J. Ley, M.D. deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by delivering a prescription for said controlled substance that Larry J. Ley, M.D. prescribed outside the usual course of professional medical practice.
- 4) On or about 4/29/2014 **Andrew J. Dollard**, as a candidate for elected office, made a statement that he had been employed at a substance abuse clinic in Noblesville.
- 5) On or about 5/23/2014 **Andrew J. Dollard** did knowingly aid Larry J. Ley, M.D. deliver Buprenorphine, a controlled substance, pure or adulterated, listed in Schedule III by delivering a prescription for said controlled substance that Larry J. Ley, M.D. prescribed outside the usual course of professional medical practice.
- 6) **Andrew J. Dollard** was the person associated with the phone number 317-695-8576 which is listed as a being associated with DORN in Noblesville, Indiana.



STATE OF INDIANA VS. ERIC W. LEY

Count 1: Between 12/09/2011 and 6/30/2014 **Eric W. Ley**, with the intent to commit Dealing in a Schedule III Controlled Substance agreed with Larry J. Ley, M.D. and/or George Agapios, M.D. and/or Luella Bangura, M.D. and/or Ronald Vierk, M.D. and/or Derek S. Tislow and/or Cassy Linn Bratcher and/or Andrew J. Dollard and/or Yvonne S. Morgan and/or Jessica S. Callahan to commit Dealing in a Schedule III Controlled Substance and either Larry J. Ley, M.D. and/or George Agapios, M.D. and/or Luella Bangura, M.D. and/or Ronald Vierk, M.D. performed an overt act, to-wit: prescribed a Schedule III Controlled Substance outside the usual course of professional medical practice in furtherance of the agreement.

Count 2: Between 12/09/2011 and 6/30/2014 **Eric W. Ley** was employed by or associated with an enterprise, to-wit: DORN aka Drug & Opiate Recovery Network and/or Living Life Clean and knowingly or intentionally conducted or otherwise participated in the activities of that enterprise through a pattern of racketeering activity, to-wit: Dealing in a Schedule III Controlled Substance by committing two or more of the following overt acts:

- 1) **Eric J. Ley** served as the point of contact and/or office manager for the DORN office at 23 East Main Street, Suite 200, Carmel Indiana
- 2) On or about 12/11/2013 **Eric W. Ley** was present at the DORN office at 3827 South LaFountain, Kokomo Indiana, printed prescriptions, had George Agapios, M.D. sign the prescription, and delivered the prescriptions, that had been prepared outside the usual course of professional medical practice
- 3) On or about 12/11/2013 **Eric W. Ley** deposited the proceeds of Dealing in a Schedule III Controlled Substance in a financial institution
- 4) On or about 1/11/2014 **Eric W. Ley** was present at the DORN office at 23 East Main Street in Carmel Indiana, printed prescriptions, had George Agapios, M.D. sign the prescription, and delivered the prescriptions, that had been prepared outside the usual course of professional medical practice
- 5) On or about 2/1/2014 **Eric W. Ley** was present at the DORN office at 23 East Main Street in Carmel Indiana, printed prescriptions, had George Agapios, M.D. sign the prescription, and delivered the prescriptions, that had been prepared outside the usual course of professional medical practice
- 6) On or about 2/8/2014 **Eric W. Ley** was present at the DORN office at 23 East Main Street in Carmel Indiana, printed prescriptions, had George Agapios, M.D. sign the prescription, and delivered the prescriptions, that had been prepared outside the usual course of professional medical practice
- 7) On or about 3/1/2014 **Eric W. Ley** was present at the DORN office at 23 East Main Street in Carmel Indiana, printed prescriptions, had George Agapios, M.D. sign the

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prescription, and delivered the prescriptions, that had been prepared outside the usual course of professional medical practice

- 8) On or about 6/28/2014 **Eric W. Ley** was present at the DORN office at 23 East Main Street, Suite 200, Carmel Indiana and requested that Andy Bonham, in his undercover capacity, submit to a urine drug screen

STATE OF INDIANA VS. YVONNE S. MORGAN

Count 1: Between 12/09/2011 and 6/30/2014 **Yvonne S. Morgan**, with the intent to commit Dealing in a Schedule III Controlled Substance agreed with Larry J. Ley, M.D. and/or George Agapios, M.D. and/or Luella Bangura, M.D. and/or Ronald Vierk, M.D. and/or Derek S. Tislow and/or Cassy Linn Bratcher and/or Andrew J. Dollard and/or Eric W. Ley and/or Jessica S. Callahan to commit Dealing in a Schedule III Controlled Substance and either Larry J. Ley, M.D. and/or George Agapios, M.D. and/or Luella Bangura, M.D. and/or Ronald Vierk, M.D. performed an overt act, to-wit: prescribed a Schedule III Controlled Substance outside the usual course of professional medical practice in furtherance of the agreement.

Count 2: Between 12/09/2011 and 6/30/2014 **Yvonne S. Morgan** was employed by or associated with an enterprise, to-wit: DORN aka Drug & Opiate Recovery Network and/or Living Life Clean and knowingly or intentionally conducted or otherwise participated in the activities of that enterprise through a pattern of racketeering activity, to-wit: Dealing in a Schedule III Controlled Substance by committing two or more of the following overt acts:

- 1) **Yvonne S. Morgan** served as the point of contact and/or office manager for the DORN office at 801 Airport Road, Centerville Indiana
- 2) On or about 11/27/2013 **Yvonne S. Morgan** was present at the DORN office at 801 Airport Road, Centerville Indiana and delivered prescriptions that had been prepared outside the usual course of professional medical practice
- 3) On or about 1/15/2014 **Yvonne S. Morgan** was present at the DORN office at 801 Airport Road, Centerville Indiana and delivered prescriptions that had been prepared outside the usual course of professional medical practice

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STATE OF INDIANA VS. JESSICA S. CALLAHAN

Count 1: Between 12/09/2011 and 6/30/2014 **Jessica S. Callahan**, with the intent to commit Dealing in a Schedule III Controlled Substance agreed with Larry J. Ley, M.D. and/or George Agapios, M.D. and/or Luella Bangura, M.D. and/or Ronald Vierk, M.D. and/or Derek S. Tislow and/or Cassy Linn Bratcher and/or Andrew J. Dollard and/or Eric W. Ley and/or Yvonne S. Morgan to commit Dealing in a Schedule III Controlled Substance and either Larry J. Ley, M.D. and/or George Agapios, M.D. and/or Luella Bangura, M.D. and/or Ronald Vierk, M.D. performed an overt act, to-wit: prescribed a Schedule III Controlled Substance outside the usual course of professional medical practice in furtherance of the agreement.

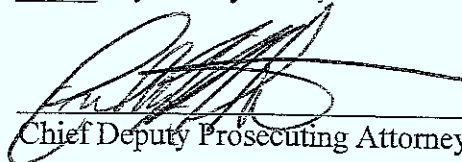
All of which is contrary to the form of the statute of such case made and provided, and against the peace and dignity of the State of Indiana.

I affirm, under penalty of perjury as specified by IC 35-44.1-2-1, that the foregoing representations are true.



Matthew R. Kestian

Approved by me this 24<sup>th</sup> day of July 2014,



Chief Deputy Prosecuting Attorney

COUNTY OF HAMILTON )

IN THE HAMILTON SUPERIOR COURT II

STATE OF INDIANA )

CAUSE NO. 29D02-1407-MC-\_\_\_\_\_

**AFFIDAVIT OF PROBABLE CAUSE**

Comes now, Gary L. Whisenand, who hereby affirming under the pains and penalties for perjury, swears or affirms upon the oath below, deposes and says:

***YOUR AFFIANT***

1. I am a Diversion Investigator with the Indianapolis District Office (IDO) of the United States Drug Enforcement Administration (DEA) and have been so employed since July 2005. Your affiant's duties include conducting investigations of the actual and potential diversion of legally manufactured controlled substances into other than legitimate medical, scientific, and industrial channels. The information contained in the below numbered paragraphs is either personally known to your affiant or has been relayed to your affiant by the persons identified in the paragraphs. The facts detailed in the following pages arise from an investigation conducted by DEA in close cooperation with the Indiana law enforcement officers assigned to the Hamilton/Boone County Drug Task Force.

***MEDICAL AND LEGAL BACKGROUND***

2. *The Drug Addiction Treatment Act of 2000.* On October 17, 2000, Congress passed the Drug Addiction Treatment Act of 2000 ("DATA 2000") which authorized qualified physicians after receiving a waiver from the Substance Abuse and Mental Health Services Administration (SAMSHA) to treat patients with opioid addiction with FDA-approved buprenorphine products such as Suboxone, a scheduled III controlled substance, in an office setting. In accordance with DATA 2000, qualified physicians must attest that they have the capacity to refer addiction treatment patients for appropriate counseling and other non-pharmacologic therapies, and they will not have more than 100 patients on such addiction treatment at any one time after their first year. Only qualified physicians are allowed to prescribe opioid addiction products. Under the authority of the Controlled Substances Act (21 U.S.C. 822 (f)), DEA is authorized to conduct periodic on-site inspections of all

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registrants including DATA waived physicians to ensure compliance with DATA 2000 and its implementing regulations.

3. *SAMSHA Clinical Guidelines for the Use of Buprenorphine in the Treatment of Opioid Addiction.*

- a. According to the 171-page *Clinical Guidelines for the Use of Buprenorphine in the Treatment of Opioid Addiction* prepared by a consensus panel for the U.S. Department of Health and Human Services and published in 2004, "Pharmacotherapy alone is rarely sufficient treatment for drug addiction. For most patients, drug abuse counseling – individual or group – and participation in self-help programs are necessary components of comprehensive addiction care. Physicians considering providing opioid addiction care should ensure that they are capable of providing psychosocial services, either in their own practices or through referrals to reputable behavioral health practitioners in their communities. In fact, DATA 2000 stipulates that when physicians submit notification to SAMHSA to obtain the required waiver to practice opioid addiction treatment outside the OTP (Opioid Treatment Program – i.e., Methadone clinic) setting, they must attest to their capacity to refer such patients for appropriate counseling and other nonpharmacological therapies."
- b. The same document states the following: "Patients who need treatment for pain *but not for addiction* should be treated within the context of a medical or surgical setting. They should not be transferred to an opioid maintenance treatment program simply because they have become physically dependent on prescribed opioids in the course of medical treatment."
- c. The document provides best-practice guidelines for the use of Buprenorphine in the treatment of Opioid addiction. A summary of those guidelines follows:
  - i. The consensus panel that developed the *Clinical Guidelines for the Use of Buprenorphine in the Treatment of Opioid Addiction* recommends that physicians periodically and regularly screen all patients for substance use and substance-related problems, not just those patients who fit the stereotypical picture of addiction. Several office visits may be required to obtain all the information necessary to make a comprehensive set of diagnoses and to develop an appropriate treatment plan, although these efforts also can be completed in a single, extended visit if so desired.
  - ii. The components of the assessment of a patient who is addicted to opioids should include, complete history, physical examination, mental status examination, relevant laboratory testing and formal psychiatric assessment (if indicated). Physicians who use buprenorphine to treat opioid addiction must consider the entire process of treatment. At each stage of the process, many different factors must be considered if the physician is to provide comprehensive and maximally effective opioid addiction care. The three phases of maintenance treatment with buprenorphine for opioid addiction are



(1) induction, (2) stabilization, and (3) maintenance. The following sections describe these phases.

1. Induction Phase - Buprenorphine induction (usual duration approximately 1 week), the first phase of treatment, involves helping a patient begin the process of switching from the opioids of abuse to buprenorphine. The goal of the induction phase is to find the minimum dose of buprenorphine at which the patient discontinues or markedly diminishes use of other opioids and experiences no withdrawal symptoms, minimal or no side effects, and no uncontrollable cravings for drugs of abuse. The physician should assess for signs and symptoms of withdrawal or inadequate dosing during induction. Patients should be advised to avoid driving or operating other machinery until they are familiar with the effects of buprenorphine and their dose is stabilized. Induction protocols differ, depending on the type of opioid to which the patient is addicted (e.g., short- or long-acting) and whether or not the patient is in active withdrawal at the time of induction. The consensus panel recommends that physicians administer initial induction doses as observed treatment (e.g., in the office); further doses may be provided via prescription thereafter. This ensures that the amount of buprenorphine located in the physician's office is kept to a minimum. Following the initial buprenorphine dose, patients should be observed in the physician's office for up to 2 hours. For patients who do not experience excessive opioid agonist symptoms after the initial dose, induction protocols can be followed as described below.
2. Stabilization Phase - The induction phase is completed and the stabilization phase (usual duration approximately 1 to 2 months) is begun when the patient is experiencing no withdrawal symptoms, is experiencing minimal or no side effects, and no longer has uncontrollable cravings for opioid agonists. As with any pharmacotherapy, the goal of buprenorphine treatment is to treat with the minimum dose of medication needed to address target signs, symptoms, desired benefits and laboratory indices while minimizing side effects. Elimination of objective evidence of opioid use (negative toxicology) represents the key target sign for which to strive. The goal is to reduce self-reported cravings and self-reported use of illicit opioids. One benefit worth achieving is a self-reported increase in opioid blockade such that self-administered illicit opioids induce little or no euphoria. A reduction in opioid-positive toxicology specimens confirms a successful direction in treatment.
3. Maintenance Phase - The longest period that a patient is on buprenorphine is the period of maintenance. This period may be indefinite. It is easy for physicians to lessen their vigilance during this period, but significant considerations still must be addressed.

Attention must be maintained to the psychosocial and family issues that have been identified during the course of treatment. Other issues that will need continual monitoring are related to cravings for opioids and to preventing relapse. Some other issues related to opioid abuse that need to be addressed during maintenance treatment include, but are not limited to, the following: psychiatric comorbidity, somatic consequences of drug use, family and support issues, structuring of time in prosocial activities, employment and financial issues, legal consequences of drug use and other drug and alcohol abuse. The frequent presence of some or all of these problems underscores the importance of providing nonpharmacological services to address comprehensively the needs of patients and to maximize the chances of the best possible outcomes. Therefore, physicians have an additional level of responsibility to patients with opioid addiction problems; this responsibility goes beyond prescribing and/or administering buprenorphine. For most patients, drug abuse counseling—individual or group—and participation in self-help programs (e.g., Alcoholics Anonymous [AA]; Narcotics Anonymous [NA]; Methadone Anonymous, a 12-Step group that supports recovery concurrent with OAT (Opioid Agnostic Therapy); Self-Management and Recovery Training [SMART] Recovery; or Moderation Management) are considered necessary.

- iii. Physicians considering making buprenorphine available to their patients should ensure that they are capable of providing psychosocial services, either in their own practices or through referrals to reputable behavioral health practitioners in their communities. In fact, the Drug Addiction Treatment Act of 2000 (DATA 2000) stipulates that, when physicians submit notification to the Substance Abuse and Mental Health Services Administration (SAMHSA) to obtain the required waiver to practice opioid addiction therapy outside the OTP setting, they must attest to their capacity to refer such patients for appropriate counseling and other nonpharmacological therapies.
  - d. The full citation for panel's document, which is publicly available at [www.buprenorphine.samhsa.gov/Bup\\_Guidelines.pdf](http://www.buprenorphine.samhsa.gov/Bup_Guidelines.pdf) is  
Center for Substance Abuse Treatment. *Clinical Guidelines for the Use of Buprenorphine in the Treatment of Opioid Addiction*. Treatment Improvement Protocol (TIP) Series 40. DHHS Publication No. (SMA) 04-3939. Rockville, MD: Substance Abuse and Mental Health Services Administration, 2004.
4. The Indiana Administrative Code also has pertinent provisions.
- a. 856 IAC 2-6-3 Sec. 3(a): "A prescription for a controlled substance to be effective must be issued for a legitimate medical purpose in a reasonable quantity by an individual practitioner acting in the usual course of his professional practice. The responsibility for the proper prescribing and dispensing of controlled substances is



upon the prescribing practitioner, but a corresponding responsibility rests with the pharmacist who fills the prescription. An order purporting to be a prescription issued not in the usual course of professional treatment or in legitimate and authorized research is not a prescription, within the meaning and intent of IC 1971, 35-24.1-3-8 [Repealed by Acts 1976, P.L.148, Sec. 24; Acts 1977, P.L.26, Sec. 25. See IC 35-48.] as amended, and the person knowingly filling such a purported prescription, as well as the person issuing it, shall be subject to the penalties provided for violations of the provisions of law relating to controlled substances.”

- b. 856 IAC 2-6-4 Sec. 4(a): “All prescriptions for controlled substances shall be dated as of, and signed on, the day when issued and shall bear the full name and address of the patient, and the name, address, and Federal Controlled Substance registration number of the practitioner.”
  - c. 844 IAC 5-4-1 Sec. 1(d): “A physician shall not prescribe, dispense, or otherwise provide, or cause to be provided, any controlled substance to a person who the physician has never personally physically examined and diagnosed.”
5. The State of Indiana also recently implemented new opioid (pain) prescribing rules which went into effect on December 15, 2013 (pursuant to Public Law 185-2013). These guidelines require the physician - if the patient has been on opioids for three months or longer and a morphine equivalent dose of more than 15 milligrams per day for more than 3 consecutive months - to perform a detailed history and physical, review records from previous healthcare providers, have the patient complete an objective pain assessment tool, assess their mental status, tailor a diagnosis and treatment plan that include functional goals, when appropriate use non-opioid options and counsel women on neonatal abstinence syndrome. The physician and patient must also review and sign a “treatment agreement” which shall include goals of treatment, consent to toxicology, permission to conduct random pill counts and information on pain meds prescribed by other physicians. The physician must also have face-to-face visits with their patients at least once every four months, conduct an initial INSPECT query on their patient and, if the opioid dose exceeds a certain number, a face-to-face review of the treatment plan is required.
6. The Indiana Scheduled Prescription Electronic Collection and Tracking (“INSPECT”) program is established under IND. CODE § 25-1-13-4. Under IND. CODE § 35-48-7-10.1, the INSPECT program creates a database for information regarding the receipt of controlled substances and their prescriptions.
7. State criminal statutes relevant to this affidavit include:
- a. *Dealing in a Schedule I, II, or III Controlled Substance.* IND. CODE § 35-48-4-2.
    - “(a) A person who knowingly or intentionally ... (C) delivers ... a controlled substance, pure or adulterated, classified in schedule ... III commits dealing in a schedule ... III controlled substance, a Class B felony, except as provided in subsection (b).
    - “(b) The offense is a Class A felony if ... (2) the person delivered or financed the delivery of the substance ... (B) in, on, or within 1,000 feet of ... (ii) a public park.”

b. *Conspiracy.* IND. CODE § 35-41-5-2.

“(a) A person conspires to commit a felony when, with intent to commit the felony, he agrees with another person to commit the felony. ...

“(b) The state must allege and prove that either the person or the person with whom he agreed performed an overt act in furtherance of the agreement.

“(c) It is no defense that the person with whom the accused person is alleged to have conspired: (1) Has not been prosecuted; (2) Has not been convicted; (3) Has been acquitted; (4) Has been convicted of a different crime; (5) Cannot be prosecuted for any reason; or (6) Lacked the capacity to commit the crime.”

c. *Racketeer Influenced and Corrupt Organizations.* IND. CODE § 35-45-6.

“Section 1. Definitions

“(a) The definitions in this section apply throughout this chapter.

“(b) ‘Documentary material’ means any document, drawing, photograph, recording, or other tangible item containing compiled data from which information can be either obtained or translated into a usable form.

“(c) ‘Enterprise’ means: (1) a sole proprietorship, corporation, limited liability company, partnership, business trust, or governmental entity; or (2) a union, an association, or a group, whether a legal entity or merely associated in fact.

“(d) ‘Pattern of racketeering activity’ means engaging in at least two (2) incidents of racketeering activity that have the same or similar intent, result, accomplice, victim, or method of commission, or that are otherwise interrelated by distinguishing characteristics that are not isolated incidents. However, the incidents are a pattern of racketeering activity only if at least one (1) of the incidents occurred after August 31, 1980, and if the last of the incidents occurred within five (5) years after a prior incident of racketeering activity.

“(e) ‘Racketeering activity’ means to commit, to attempt to commit, to conspire to commit a violation of, or aiding and abetting in a violation of any of the following: ... (30) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).”

“Section 2. A person:

“(1) Who has knowingly or intentionally received any proceeds directly or indirectly derived from a pattern of racketeering activity, and who uses or invests those proceeds or the proceeds derived from them to acquire an interest in property or to establish or to operate an enterprise;

“(2) Who through a pattern of racketeering activity, knowingly or intentionally acquires or maintains, either directly or indirectly, an interest in or control of property or an enterprise; or

“(3) Who is employed by or associated with an enterprise, and who knowingly or intentionally conducts or otherwise participates in the activities of that enterprise through a pattern of racketeering activity;

commits corrupt business influence, a Class C felony.”

**INVESTIGATION BACKGROUND:**  
***Early Contact with Dr. Larry Ley***

8. According to information posted on the American Society of Addiction Medicine website (www.asam.org), Larry J. Ley, M.D., is an addiction medicine specialist with a secondary specialty of urology. This website listed Dr. Ley's professional information as follows: Living Life Clean, LLC., and DORN, Inc., 23 East Main Street, Suite 200, Carmel, Indiana 46032.
9. Two Indiana corporations are involved and can be identified through the records of the Indiana Secretary of State's Office:
  - a. ***Drug & Opiate Recovery Network, Inc.*** (referred throughout this Affidavit and its attachments as "**DORN**")
    - i. DORN was formed in August 2007 with a principal address of 23 E Main St, Carmel, Indiana.
    - ii. Its Registered Agent is listed as James K. Wheeler at that same address. James K. Wheeler is also identified as Incorporator and President with addresses of 1604 Chestnut Court, Noblesville and 23 E Main Street, Suite 200, Carmel, respectively.
    - iii. In September 2009, its address was changed to 23 East Main Street, Carmel and the 1604 Chestnut Court address was replaced by 23 East Main for Mr. Wheeler's addresses. These addresses, the agent, and president identified above persist in DORN's current filings.
  - b. ***Living Life Clean, LLC*** (referred throughout this Affidavit and its attachments as "**LLC**")
    - i. LLC was formed in September 2003 with a principal address of 13658 Smokey Ridge Place, Noblesville and the registered agent of Larry J. Ley.
    - ii. In September 2009, Abigail E. Ley was identified as a member of the corporation and its registered agent with an address of 13658 Smokey Ridge Place, Noblesville, Indiana.
    - iii. LLC was administratively dissolved in February 2013. Its entity address was listed as 23 E Main # 200, Carmel, and its Registered Agent was listed as Abigail E. Ley with the Smokey Ridge address.
10. On May 30, 2008, DEA IDO Diversion Investigators (DI's) completed an onsite scheduled regulatory inspection on Dr. Larry Ley's DEA registered LLC office which was then located at 1391 Greenfield Avenue in Noblesville, Indiana. This inspection uncovered several U.S.

Code of Federal Regulation (CFR) violations and as a result a Letter of Admonition (LOA) was subsequently issued to Dr. Ley for the following violations:

- a. Failure to register clinics in Muncie and Kokomo, Indiana, where Dr. Ley had also been storing and dispensing Suboxone.
  - b. Failure to properly obtain Suboxone for the purpose of general dispensing to patients, as Dr. Ley was writing Suboxone prescriptions to his office managers for them to stock LLC offices with Suboxone to use for patient inductions.
  - c. Failure to conduct a biennial inventory of the controlled substances maintained.
  - d. Failure to maintain controlled substance receipt records.
  - e. Failure to maintain proper controlled substance dispensing records.
11. During this investigation, DI's learned that Dr. Ley originally practiced urology but later became interested in addiction medicine after seeking treatment for alcoholism in the 1990's. According to previous DEA reports, Dr. Ley voluntarily surrendered his medical license on September 18, 1995, due to alcohol dependence and had his medical license reinstated on August 16, 2002. During the inspection, Dr. Ley informed DEA DI's that he provided treatment for substance addictions and that he used Suboxone for opioid addiction and sometimes for pain treatment. During this interview, Dr. Ley informed investigators that he saw his patients every two weeks and that the objective of the program was to move people from dependency, to non-dependence, and ultimately to abstinence. According to Dr. Ley, approximately 2/3 of the patients seen were successfully detoxified after 18 months of treatment.
12. In response to the LOA, Dr. Ley responded with a memo dated March 31, 2009, which noted that all patients deemed to be potential candidates for buprenorphine therapy would initially be seen at his main office located at 23 East Main Street, Suite 200, Carmel, Indiana. This initial visit was to include a full evaluation/assessment of the patient, treatment plan development, and buprenorphine induction. From that point on, the patients would be triaged to a DORN/LLC facility that was in closest proximity to their residence for follow up visits. Around that time, Dr. Ley also changed his registered address to the Carmel office (Note: Per records on the Automated Reports and Consolidated Order System, DEA registered distributors had not shipped any controlled substances to the DORN-Carmel office since July 2010).
13. Dr. Ley is currently overseeing addiction practices under DORN and LLC from the following five office addresses:
- a. DORN-Carmel (main office), 23 East Main Street, Suite 200, Carmel, Indiana
  - b. DORN-Centerville, 801 Airport Road, Centerville, Indiana
  - c. DORN-Kokomo, 3827 South LaFountain Street, Kokomo, Indiana

- d. DORN-Noblesville, 813 Westfield Road, Suite 100, Noblesville, Indiana
  - e. Living Life Clean, 121 North High Street, Muncie, Indiana
14. Dr. Ley has openly stated that his practice has solely focused on opioid addiction treatment for the last few years. Investigators have learned that Dr. Ley is assisted on a part-time basis in his addiction practice by Dr. Ronald Vierk, Dr. Luella Bangura, and Dr. George Agapios. All four doctors are each certified to treat no more than 100 patients for opioid addiction using FDA approved products such as Suboxone in an office setting in accordance with the Drug Addiction Treatment Act of 2000.

***INVESTIGATION BACKGROUND:  
Complaints and Intelligence Gathered***

15. *Addiction Doctor #1.*

- a. On December 9, 2011, DEA Diversion Investigators (DI's) conducted a regulatory inspection with an addiction treatment doctor in the Indianapolis, Indiana area hereafter referred to as AD#1.
- b. AD#1 informed investigators that he had received complaints from some drug addicted patients that previously were treated for their addiction by Dr. Larry Ley. The patients indicated that they did not fully feel like patients with Dr. Ley. Supposedly, Dr. Ley did not accept insurance and instead wanted to be paid in cash. Patients had to see Dr. Ley every two weeks. Allegedly, Dr. Ley often met with patients outside a professional setting, such as parks.

16. On December 13, 2011, the State of Indiana received a complaint from a patient who stated the following,

- a. "When I arrived at Dr. Leys [sic] 'office' it was nothing more than a couple of desks and a large table in a room where Dr. Ley gives his "seminars". Myself and around 3-4 others sat at the table, he passed out a few papers, gave a 15 minute lecture and then passed out a prescription to everyone there. There was no exam, urinalysis, I never even completed more than my name on the paperwork. There was defiantly [sic] no privacy, he asked everyone what drugs they were currently abusing during his lecture. He also took \$300.00 in cash only, no insurance excepted [sic]." The complainant ended her complaint by stating, "I think Dr. Ley should NOT be prescribing suboxone! I would like to have the \$300.00 back that I had to pay for him to do nothing more than give me a prescription."
- b. The address listed on the complaint for Dr. Ley was 23 East Main Street, Suite 200, Carmel, Indiana.



*17. Addiction Doctor #2.*

- a. On December 19, 2011, DEA DI's conducted a regulatory inspection with an addiction treatment doctor in the Indianapolis, Indiana area hereafter referred to as AD#2.
- b. AD#2 informed investigators that he suspected Dr. Ley of operating carelessly regarding his patients' long-term well-being by not usually conducting follow-up in-person appointments with his chemically dependent patients. Per AD#2, not conducting in-person follow-up appointments could be detrimental to patients' well-being.

*18. Addiction Doctor #3.*

- a. On January 20, 2012, DEA DI's conducted a regulatory inspection with an addiction treatment doctor in north central Indiana hereafter referred to as AD#3.
- b. AD#3 informed investigators that he had heard Dr. Ley's name being associated with not providing adequate patient care and being focused more on profits than his patient's well-being.

*19. Addiction Doctor #4.*

- a. On September 24, 2013, DEA DI's conducted a regulatory inspection with an addiction treatment doctor in east central Indiana hereafter referred to as AD#4.
- b. AD#4 informed investigators that he has taken over former patients of Dr. Larry Ley in the Richmond, Indiana area. AD#4 described the Dr. Ley's Richmond practice as "fly by night" operating only two hours a week for 150 patients. According to AD#4, some patients of Dr. Ley's that were not getting adequate attention sought out AD#4 for services instead.

*20. Stephen Mullanix case*

- a. On October 2, 2013, DEA and Hamilton/Boone County Drug Task Force (hereinafter "DTF") personnel received information from Jason Mullanix and his wife April Mullanix regarding their relative Stephen Mullanix, a 38 year old male who died on July 20, 2013, of gastro-intestinal bleeding and chronic alcohol abuse.
- b. According to the Mullanix's, Stephen Mullanix had a history of alcoholism and pain pill abuse and for the last six years had been a patient of Dr. Ley for addiction treatment. The Mullanix's claimed that Stephen Mullanix regularly received Suboxone prescriptions signed by Dr. Ley and Dr. George Agapios without being seen by either doctor. Additionally, Stephen was not required to take drug tests. According to the Mullanix's, other than Suboxone prescriptions, Stephen Mullanix received no other addiction treatment support from Dr. Ley or Dr. Agapios. The Mullanix's stated that Stephen had mentioned to them multiple times that he desired to stop taking Suboxone, but Dr. Ley had not taken any action to do so. The

Mullanix's claimed that Dr. Ley's ineffective treatment was a contributing factor in Stephen Mullanix's death.

- c. An Indiana Scheduled Prescription Electronic Collection & Tracking Program (INSPECT) query showed that Stephen Mullanix routinely received Suboxone prescriptions from either Dr. Ley or Dr. Agapios during the months preceding his death.
- d. On October 10, 2013, DEA and HCDTF personnel interviewed Sarah Mullanix, the wife of Stephen Mullanix. Sarah Mullanix stated that Stephen Mullanix had been a patient of Dr. Ley's since December of 2007 and in her opinion Stephen Mullanix received ineffective treatment from Dr. Ley. Sarah Mullanix stated that it was common for her or someone else to pick up her husband's prescriptions from the secretary at Dr. Ley's office without ever seeing Dr. Ley or without Stephen Mullanix being seen by Dr. Ley. Sarah Mullanix recalled her husband taking one drug test during his entire time as a patient with Dr. Ley and Stephen Mullanix would go months without seeing Dr. Ley, but always was required to pay \$120 cash for an office visit in order to obtain his Suboxone prescriptions. Sarah Mullanix claimed to have left a voicemail message on Dr. Ley's office answering machine informing Dr. Ley that Stephen was mixing other illegal substances with his Suboxone. Per Sarah, Dr. Ley never returned her call.

#### 21. *Pharmacists in 2013.*

- a. In October 2013, a DEA Merrillville Resident Office DI documented that the Meijer Pharmacy in Kokomo, Indiana, had refused to fill controlled substance prescriptions issued from Dr. Ley and Dr. Luella Bangura (who practiced at the DORN Kokomo office).
- b. During October and November 2013, a DEA IDO Task Force Officer (TFO) spoke with pharmacists in the Kokomo, Indiana area. At that time, the pharmacists stated that they received complaints from patients of Dr. Ley's Kokomo practice about waiting 1 ½ hours to see the doctor; patients being given prescriptions but not being evaluated medically; buprenorphine/Suboxone prescriptions being written for "chronic pain"; the DORN Kokomo practice only accepting cash payments; and the DORN-Kokomo practice only being open in the evening, every other Wednesday. According to the pharmacists, initial prescriptions were written by Dr. Ley and subsequent prescriptions were issued by Dr. Luella Bangura. Pharmacy management allegedly met with Dr. Ley at his Carmel, Indiana office and was informed by Dr. Ley that he saw patients on their initial visit for two and one-half hours to do a consultation, sign a medication agreement, and issue the first prescription. Afterwards, Dr. Ley would delegate subsequent visits to other DORN/LLC offices.

22. *Vitals.com.*

- a. A review of anonymous comments at [www.vitals.com](http://www.vitals.com) (an internet medical site) accessed in November 2013 regarding Dr. Ley displayed the following five dated claims:
  - b. "Dr Larry Ley = As in Ley Out the Cash! Aug 21st, 2012:
    - i. "It should say Dr Larry Ley-out the cash! No insurance. This guy was lit like a Christmas tree for my appointment, hungover like heck. He smokes right in front of you and tells you = YOU got the problem. Check yourself DOC! Ask your neighbor, you are JACKED on Roxicodone's for the past 3 years. I KNOW your neighbor very well and when you get to drinking, you spill the words. You are ruthless. If you have an opiate problem, DONT go to him or ANY part of the DORN network, what a joke. WAY over prescribes Suboxone, you are a zombie! Try keeping your job, marriage and friends, I nearly lost them all. Did a cold turkey from Sub, last 7 days, wasn't bad. Overall, I am glad I am away from that money pit and drunkin roxi sailor. He RX's his friends who inturn give him the drugs. I have seen it OLE LARRY! POT CALLING THE KETTLE BLACK X 1000!"
  - c. "Dr Ley Drug Dealer Aug 21st, 2011:
    - i. "Dr. Ley runs a Legal Drug Pusher Operation. You see i had been going to doc. Ley for at least a year but there is nothing diffrent from him and the drug dealers on the corner you go in to the office you give him the money and he gives you the script however god help you if you need anything else from him because he will not help you with any insurance things he will not answer your calls. One day i called him and he finaly ansered and yelled at me up one side and down the other. I checked into him online and found that he got his licence pulled because he was a addict to. so if you need help try to find somone that will realy care for you."
  - d. "DONT GO TO THIS DOCTOR by A very ANGRY patient on Jan 26th, 2010:
    - i. "I am a Suboxone patient of his. Suboxone is prescribed to people with previous opiate addictions. Usually this treatment is once a month. Here is is twice a month and they do NOT accept insurance of any kind. When you go for a visit there are not rooms for patients, only one big open room. The doctor has never once even been in the building when I am there. I feel that I am paying them to write me a prescription for my medicine, which is unethical and illegal. All I do at the visit is sit down and a desk with a receptionist. 90% of the time the only words I hear from her is "how will you be paying today?" This place is a joke and I wont NOT recommend anyone to go here!!!!"
  - e. "dr drink by clean without sub dr on Nov 3rd, 2009:



- i. "Dr Larry is another example of suboxone doctors who over prescribe and keep patients on suboxone for years. Its obvious within minutes of meeting Dr larry that he has a drinking problem and possibly an opiate addict himself. Hes rude and unprofessional and gives every new patient the same bs addiction and genetics speech, the exact same wording. He will "diagnose" your needs along with about 8 other new patients at the same time by looking at you. He apparently has mind reading capabilities. He likes to remind you that your a junkie without will, as he takes your money and gives you a legal addiction. He's as arrogant as the queen, and will make sexual inuedos to you if your a woman. Indepentant suboxone drs are all the same, hacks who are either to old or not talented enough for any actual care so they make their fortune off the desperate. Larry will not tell you that suboxone has just as bad withdraws as street drugs, or that they run at almost 10 bucks a pop without insurance. Research this stuff and these doctors its no joke. You want to be rid of opiates check into a outpatient detox program and be done with it."

f. "Dr Ley saved my life!!! Oct 7th, 2009:

- i. "Dr Larry Ley gave me the tools to save myself from myself over 6 years ago & still counting. GOD Bless you, Dr. Ley, & the good works you do in helping others to help themselves...Thank you,DW"

23. In November 2013, a Kokomo Police Department officer informed a DEA TDS TFO that he had provided off-duty security for Dr. Ley's Kokomo office located at 3827 South LaFountain Street and that there was a long line of up to 100 people waiting at the office. The officer quit after one week because he felt the practice was "sketchy." On November 26, 2013, the TDS Investigator went to the DORN office at 3827 South LaFountain Street and was met by a person tentatively identified as Clotis Downs, who stated that the DORN office hours for the Kokomo practice were 5:00pm to 7:30pm.

24. *Current Patient #1.*

- a. On December 6, 2013, a DEA IDO TDS TFO interviewed a current patient hereafter referred to as CP#1 of DORN who had gone to the DORN-Kokomo office.
- b. CP#1 informed the TFO that he has been a DORN patient for the past three years and that patients at the Kokomo office were coming from as far away as South Bend, Indiana. CP#1 stated that were major issues at the Kokomo office with people in the parking lot conducting drug deals and discussing how they were going to sell their medications. Additionally, CP#1 stated that patients were not being seen by the doctor at the Kokomo practice. CP#1 identified Dr. Bangura as the Kokomo practice doctor and claimed that he had only been seen by her one time in a year. Per CP#1, once inside the office, patients paid \$80, obtained their prescriptions from an old lady at the front desk, and "you are pushed out the door." According to CP#1, prescriptions were pre-signed by either Dr. Bangura or Dr. Ley.

*25. Addiction Doctor #5.*

- a. On December 11, 2013, DEA IDO DI's conducted a regulatory inspection with an addiction treatment doctor in central Indiana hereafter referred to as AD#5.
- b. AD#5 stated that he was concerned about Dr. Ley's opioid addiction treatment program based upon feedback from his current patients and other physicians. AD#5 stated that he was told by a pharmaceutical rep that Dr. Ley was exceeding the maximum allowed 100 patient limit and according to patients Dr. Ley exceeded the 100 patient maximum limit by prescribing Suboxone "for pain". Supposedly, Dr. Ley's patients were receiving their follow up prescriptions without seeing a doctor, but were still required to pay an \$80 fee in order to receive the prescription. Allegedly, routine urine drug screens were not conducted. AD#5 stated that approximately 1/3 to 1/2 of his addicted patients were former Dr. Ley patients. Allegedly, patients have told AD#5 that Dr. Ley's patients were known for selling their Suboxone medications illegally. Dr. Ley previously has reserved conference rooms at public libraries to conduct group initial addiction patient appointments at \$300 cash per patient. Patients have said that Dr. Ley doesn't care about their addiction treatment and is in the business to make a lot of money. Patients informed AD#5 that they switched from Dr. Ley's treatment program to save money and receive superior care

*26. Addiction Doctor #6.*

- a. On December 11, 2013, DEA DI's conducted a regulatory inspection with an addiction treatment doctor in central Indiana hereafter referred to as AD#6.
- b. AD#6 had heard that Dr. Ley was rumored to be conducting group initial patient treatment appointments within Indiana public library conference rooms. Dr. Ley allegedly charged new addiction treatment patients \$300 dollars cash for initial appointments and \$80 dollars cash thereafter (every two-weeks) for follow-up appointments. AD#6's addicted patients switched to his addiction treatment program primarily due to the high costs associated with Dr. Ley's practice. Dr. Ley's addiction treatment program is a cash only enterprise. Dr. Ley's treatment program did not require patients to participate in counseling or any other addiction support. AD#6's patients stated that Dr. Ley doesn't seem to care about their medical well-being and is only interested in making money. AD#6 stated that based upon patient feedback, Dr. Ley's treatment program is not effective

*27. Addiction Doctor #7.*

- a. On December 11, 2013, DEA DI's conducted a regulatory inspection with an addiction treatment doctor in central Indiana hereafter referred to as AD#7.
- b. Almost every addicted patient seen by AD#7 had stated that they have been a patient of Dr. Ley at some point. The running joke among the physicians at AD#7's central Indiana medical facility is that they should quit legitimately treating patients and open a similar business mirroring Dr. Ley's in order to cash-in and get rich. Several of Dr.

Ley's previous patients mentioned that their initial addiction treatment appointment with Dr. Ley was conducted as a group with other addicts at the New Castle Indiana Public Library within one of the conference rooms. Dr. Ley's previous patients stated that he doesn't seem to care about anything else except the money. The patients stated that they pay Dr. Ley every two weeks for their Suboxone prescriptions and have migrated into AD#7's treatment program for financial reasons. Dr. Ley's treatment program is cash only and patients are required to pay \$160 a month (\$80 cash every two weeks). Patients pay \$300 dollars cash for the initial appointment with Dr. Ley. Most patients were not required to see Dr. Ley in order to receive their refill prescriptions for Suboxone, but could not receive the prescription without paying \$80 cash.

28. *Former Patient #1.*

- a. On December 19, 2013, DEA TDS TFO's interviewed a former patient of Dr. Ley's hereafter referred to as FP#1. FP#1 is the same patient who made the complaint with the State of Indiana in December 2011. *See* para. 16 above.
- b. FP#1 stated that her first visit with Dr. Ley cost \$300 cash and she along with four or five other patients met with Ley together in a conference room at his practice in Carmel, Indiana. Everyone at the table was asked by Dr. Ley whether they needed medication for addiction or for pain. Everyone was also given a form to fill out and a briefing about the use of Suboxone which lasted approximately 15 minutes. Ley then issued a prescription for a two week supply of Suboxone. No history was taken; no medical exam was performed; and no drug test was conducted. Afterwards, everyone was referred to different clinics depending on where they lived. FP#1 was referred to the Centerville (near Richmond), Indiana clinic which was open on Wednesday evenings, where she learned she could pay one amount for a two week prescription or another amount for a one month prescription. FP#1 saw Dr. Vierk at the Centerville clinic and again received a prescription without any medical history, medical exam, or drug screen conducted. FP#1 stated that because DORN provided poor care and did not accept her insurance, she quit going. Per FP#1, the Centerville clinic was located on Airport Road.
- c. Using INSPECT, Investigators confirmed that FP#1 received a Suboxone prescription from Dr. Ley on December 2, 2011, and received two follow up Suboxone prescriptions from Dr. Vierk for Suboxone on December 21, 2011, and January 5, 2012.
- d. Investigators have since observed a small building with DORN signage located at 801 Airport Road, Centerville, Indiana. Hours posted on the building's door display the practice to be open only on Wednesday evenings from 4:00pm to 6:30pm

29. *Former Patient #2.*

- a. On January 7, 2014, DEA TDS TFO's interviewed a former Dr. Ley patient hereafter referred to as FP#2.

- b. FP#2 stated that her first visit with Dr. Ley cost \$300 but she had only \$100 so she received a partial Suboxone prescription. According to FP#2, her initial visit occurred at the Carmel office with Dr. Ley and two other patients. During the meeting, Suboxone procedures were explained and FP#2 was asked in a group setting why she was at the practice. After the group meeting, FP#2 filled out some paperwork and then Dr. Ley wrote her a prescription for a five day supply of Suboxone. According to FP#2, no physical exam or drug screen was conducted and because she was unable to pay the remaining \$200, she quit going. FP#2 stated that she was advised that if she had paid the remaining amount, she would have been referred to the Kokomo clinic for follow up visits.
- c. Using INSPECT, Investigators confirmed that FP#2 received a Suboxone prescription from Dr. Ley on October 28, 2013

30. *Former Patient #3.*

- a. On January 9, 2014, DEA TDS TFO's interviewed a former Dr. Ley patient hereafter referred to as FP#3.
- b. FP#3 stated her initial visit was with Dr. Ley at his Carmel, Indiana practice. After paying \$300, FP#3 was taken to a room where six to eight other people were gathered for a "lecture". At the lecture, Dr. Ley asked everyone present if they needed Suboxone for pain or for addiction and had everyone fill out a form. Upon completion of the lecture, which lasted approximately 1 ½ to 2 hours, FP#3 was issued a two week prescription for Suboxone and referred to a Muncie, Indiana office for follow up visits. Per FP#3, no medical exam, medical history, or urine drug screen was conducted at the Carmel practice. FP#3 stated that she never saw Dr. Ley again after her initial visit in his Carmel office. For her follow up visits, FP#3 went to the Muncie office located on High Street every two weeks any time between 7:30am and 4:30pm on Wednesdays. Per FP#3, the Muncie office had two females (identified by FP#3 as "Melanie" and "Jessica") present who worked for Dr. Ley. Each time she went to the Muncie practice, FP#3 would pay \$80 cash and one of the two females would then provide her with a Suboxone prescription bearing Dr. Ley's signature. It was FP#3's opinion that neither female was a medical provider. Per FP#3, no doctor was ever present at the Muncie site and no drug screens were ever conducted. FP#3 stated that her follow up visits lasted no more than five minutes and it was "very easy" to obtain her prescriptions. FP#3 quit going to Dr. Ley's practice after finding a medical provider who would accept her insurance.
- c. Upon completion of this interview, Investigators traveled to 121 North High Street, Muncie, Indiana and observed an office having signage of "Living Life Clean" with office hours displaying the business to be open every Monday, Wednesday, and Friday from 7:30am to 3:00pm.
- d. INSPECT records displayed that FP#3 received a total of 15 Suboxone prescriptions issued under Dr. Ley's DEA registration in 2013. Per INSPECT, the follow up prescriptions for FP#3 were regularly filled by pharmacies on Wednesdays, however



the prescriptions were listed to have almost always been written on an earlier date (indicating that the prescriptions may have been pre-signed). "Melanie" and "Jessica" have since been tentatively identified as DORN employees Melanie Eiler and Jessica Callahan, neither of which have any medical licensure with the state of Indiana.

31. *Former Patient # 4.*

- a. On January 9, 2014, DEA TDS TFO's interviewed a former Dr. Ley patient hereafter referred to as FP#4.
- b. FP#4 stated that she was directed to Dr. Ley's Carmel practice for her initial visit. At this visit, FP#4 paid \$300, was then taken to a meeting room with a group of 10 to 15 people, was explained the "rules" of the Suboxone program, and filled out some forms. Upon completion of the meeting, which lasted approximately three hours, Suboxone prescriptions were issued even though no drug screen or medical exam was conducted. Following her initial visit, FP#4 was referred to an office of Dr. Ley's in Noblesville, Indiana. FP#4 stated that she never saw Dr. Ley again after her initial visit in the Carmel office. Per FP#4, the follow up visits in Noblesville were in a small office where patients were "lined up" out the door to get their prescriptions. FP#4 went to the Noblesville office on Fridays between 6:00am and 10:00am. At these visits, FP#4 would pay \$80 cash to a person named "Andrew Dollard" who would then fill out and hand FP#4 a pre-signed Suboxone prescription. Per FP#4, two other males who assisted Dollard also handed out pre-signed prescriptions. FP#4 identified Dollard as Dr. Ley's attorney. Per FP#4, no doctor was ever present on her visits to the Noblesville practice. FP#4 has since switched to a different Suboxone provider.
- c. INSPECT records displayed that FP#4 received a total of 34 Suboxone prescriptions issued under Dr. Ley's DEA registration between 2012 and 2013. Per INSPECT, the follow up prescriptions for FP#4 were regularly filled by pharmacies on Fridays, however these prescriptions were listed to have almost always been written on an earlier date (indicating that the prescriptions may have been pre-signed).
- d. Andrew Dollard has since been identified as a DORN employee who does not have any medical licensure with the state of Indiana.

32. *Former Patient #5.*

- a. On January 10, 2014, DEA TDS TFO's interviewed a former Dr. Ley patient hereafter referred to as FP#5.
- b. FP#5 stated her initial visit was with Dr. Ley at his Carmel, Indiana practice where she paid \$300 cash and was taken to a room with five other people. In the room, the attendees were given a briefing of what "opiates can do to you" and were asked if they wanted Suboxone for pain or for addiction. FP#5 then received a Suboxone prescription from Dr. Ley even though no medical exam, medical history, or urine drug screen was conducted. FP#5 was then assigned to Dr. Ley's office on High

Street in Muncie, Indiana for follow up visits on Wednesdays. Per FP#5, two females worked at the Muncie office. On her visits, FP#5 would pay the females \$80 cash and they would provide FP#5 with a Suboxone prescription. Per FP#5, the prescriptions at the Muncie office were pre-printed and "bundled up" with names on them. FP#5 left Dr. Ley's practice after finding a Suboxone provider who would accept insurance.

- c. INSPECT records displayed that FP#5 received a total of 13 Suboxone prescriptions issued under Dr. Ley's DEA registration in 2013. Per INSPECT, the follow up prescriptions for FP#5 were regularly filled by pharmacies on Wednesdays, however the prescriptions were listed to have almost always been written on an earlier date (indicating that the prescriptions may have been pre-signed).

33. *Phone Calls to DORN in January 2014.*

- a. On January 10, 2014, DEA Special Agent (SA) Dennis Wichern acting in an undercover role telephoned (317) 582-0555 which according to [www.dornetwork.com](http://www.dornetwork.com) is the main number to DORN located at 23 East Main Street, Suite 200, Carmel, Indiana. The call went to a recorded message by a female voice which was answered as "Recovery Network" and listed the operational hours of Monday, Tuesday, and Thursday as being open from 8:30am to 4:30pm and of Wednesday and Friday as being open from 8:30am to noon.
- b. On January 14, 2014, SA Wichern acting in an undercover role again called (317) 582-0555. The call was answered "Recovery Network" by a female identifying herself as "Felicia," who stated that:
  - (1) initial visits cost \$300 cash or money order only;
  - (2) subsequent appointments every two weeks cost \$80;
  - (3) the first visit was an 2 – 2½ hour "educational discussion" in Carmel;
  - (4) the first visit was with the medical director identified as Dr. Larry Ley;
  - (5) additional DORN offices were located in the Indiana communities of Noblesville, Muncie, Kokomo, and Centerville;
  - (6) patients were required to have counseling once per month; and
  - (7) counseling "doesn't have to be for Suboxone", instead it could be "any sort of counseling."
- c. "Felicia" has since been identified as DORN employee Felicia Reid

34. *Former Patient #6.*

- a. On January 24, 2014, DEA TDS TFO's interviewed a former Dr. Ley patient hereafter referred to as FP#6.
- b. FP#6 stated he had his initial visit with Dr. Ley at his Carmel, Indiana practice. Per FP#6, this visit consisted of a two to three hour orientation with four other people in the same room. Dr. Ley provided information on Suboxone, determined dosage, and provided a Suboxone prescription for a charge of \$300. FP#6 was then directed to follow up at an office in Noblesville, Indiana. Initially this office was located at 1391 Greenfield Avenue, Noblesville, Indiana, but was moved to a church, and then again



moved to an office building on State Road 32. FP#6 had visits in Noblesville every other Friday between 6:00am and 9:30am. When FP#6 arrived at the Noblesville practice, he would pay \$80 cash to "Andrew" and be provided a prescription for Suboxone that was already written and signed. FP#6 stated that two people always worked at the Noblesville office. If he wanted to see Dr. Ley, FP#4 had to call the Carmel office to make an appointment. Per FP#6, Dr. Ley was rarely seen at the Noblesville office. FP#6 provided Investigators with paperwork from DORN. Written on one of the papers was, "Andrew, Office Director, 317-695-8576". FP#6 left Dr. Ley's practice after finding another Suboxone provider who accepted insurance.

- c. Upon completion of this interview, Investigators traveled to 813 Westfield Road, Noblesville, Indiana and observed a placard having the word "DORN" with no office hours posted next to the door for Suite 100.
- d. INSPECT records displayed that FP#6 received a total of 15 Suboxone prescriptions issued under Dr. Ley's DEA registration in 2013. Per INSPECT, the follow up prescriptions for FP#6 were regularly filled by pharmacies on Fridays, however these prescriptions were listed to have almost always been written on an earlier date (indicating that the prescriptions may have been pre-signed).

*35. Other Phone Numbers.*

- a. In January 2014, DEA Investigators using Google searches identified telephone numbers 317-345-8576 and 317-695-8576 as being associated with DORN in Noblesville.
- b. When called, 317-345-8576's message referred to Dr. Ley
- c. When called, 317-695-8576's message referred to Andrew Dollard.
- d. According to telephone subscriber information, both 317-345-8576 and 317-695-8576 are listed to D.O.R. Network at 23 East Main Street, Carmel, IN 46032.

***INVESTIGATION DETAILS:***

***Dr. Larry Ley and the DORN Office  
located at 23 East Main, Suite 200, Carmel  
(Mondays – Fridays and Sundays)***

*36. DORN's website ([www.dornetwork.com](http://www.dornetwork.com)).*

- a. The DORN website confirmed the central office to be located at 23 East Main Street, Suite 200, Carmel, Indiana, with a telephone number of 317-582-0555. Also

referenced on the website were other "regional centers." See photo below of the DORN-Carmel location.

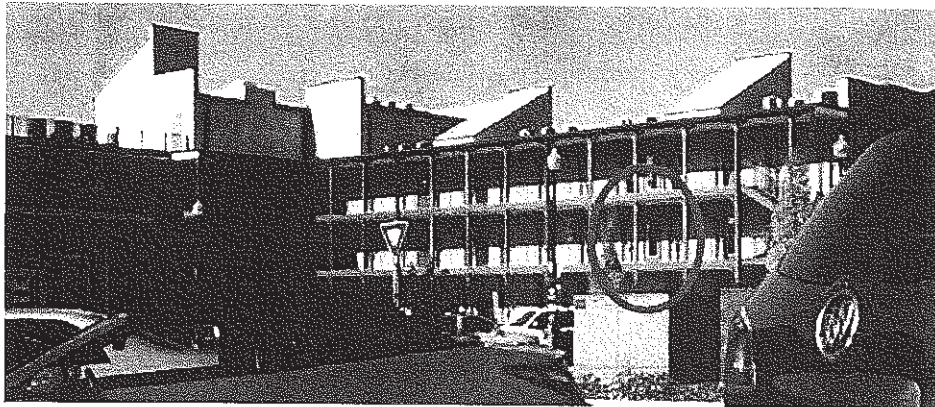


Figure 1: DORN-Carmel, 23 East Main, Suite 200, Carmel, Hamilton County

- b. As of November 2013, the DORN website stated the following: "The program begins with an initial physician visit. This is usually done at our central office. At that time, a thorough and comprehensive interview and exam is completed to determine the appropriate mode of therapy for your case. If buprenorphine is selected, then an initial induction with Suboxone will be performed. After the initial office visit, a period of "stabilization" will be required. This period lasts three to seven days. During this period, the patient will be maintained on a constant daily dose that is determined during the induction process of the initial visit. In general, the patient will be seen at the end of the initial seven day period for a second visit at the central office for follow-up. If indicated, a dosage adjustment to the Suboxone will be made."

### 37. *Business model summary.*

- a. From intelligence gathered, it was learned that prospective DORN patients were required to see Dr. Ley at the Carmel office for their initial visit at a cost of \$300 cash only (insurance was not accepted). Intelligence indicated that Suboxone was only one of two treatment options offered at DORN (the other option being a monthly shot). Nothing indicated that comprehensive interviews and exams took place at DORN. Additionally, both former and current patients interviewed made no indication that inductions took place at DORN either. From what was told to Investigators, patient's initial visits at DORN consisted of a group seminar where the patients told Dr. Ley what drugs they supposedly consumed; patients then paying \$300 cash; patients subsequently receiving a prescription for Suboxone from Dr. Ley; and then being assigned to one of the five DORN/LLC offices for subsequent visits. The initial visits at DORN-Carmel took place in the mornings on weekdays only. (Note: In March and April 2014, seven different undercover law enforcement officers had initial visits with Dr. Ley at DORN-Carmel. At no time during these visits were the undercover officers interviewed, examined, or induced. All officers received Suboxone prescriptions after sitting through a seminar with Dr. Ley and paying \$300 cash).

- b. In addition to the initial visits occurring in the mornings from Monday through Friday, Investigators learned that Suboxone prescriptions signed by Dr. Ley were also issued out to patients for subsequent visits at DORN-Carmel on Sunday mornings, at DORN Muncie primarily on Wednesday mornings, and at DORN-Noblesville on Friday mornings. Subsequent patient visits to obtain follow-up Suboxone prescriptions had been conducted on a biweekly basis at a cost of \$80, but were later changed in 2014 to a monthly basis for a cost of \$160

38. *INSPECT* research.

- a. Using the INSPECT program, Investigators learned that over 99% of the controlled substance prescriptions issued by Dr. Ley were for Suboxone. Also using INSPECT, Investigators totaled the number of controlled substance prescriptions written by Dr. Ley during the years of 2011, 2012, and 2013. The following chart details the income generated by Ley for those three years assuming that each patient was charged a minimum of \$80 per visit in order to receive a Suboxone prescription (even though initial visits costs were \$300):

Year	Approximate Total Number of Prescriptions Written by Dr. Ley	Approximate Income Generated by Dr. Ley For Suboxone Prescriptions Based On An \$80 Visit Fee
2011	9,931	\$794,480
2012	9,262	\$740,960
2013	8,486	\$718,880

Figure 2: Table of Dr. Ley prescriptions (2011, 2012, 2013)

- b. As noted earlier in this report, federal law caps addiction treatment by qualified physicians to no more than 100 patients at any one time. The following chart details the number of different patients listed in INSPECT that Dr. Ley had per year:

Year	Approximate total number of patients seen by Dr. Ley
2011	1,525
2012	1,550
2013	1,600

Figure 3: Table of Dr. Ley patient counts (2011, 2012, 2013)

- c. The following chart displays the days noted in INSPECT when Dr. Ley issued Suboxone prescriptions to over 100 patients:

Year	# of days in year in which over 100 patient prescriptions were issued	Highest # of prescriptions issued in one day for a particular year	Prescriptions issued per minute (assuming Dr. Ley worked an entire 8 hour day (480 minutes))
2011	20	252	1 Rx every 1.9 minutes for 252 Rx's
2012	25	185	1 Rx every 2.6 minutes for 185 Rx's
2013	24	206	1 Rx every 2.3 minutes for 206 Rx's

Figure 4: Table of Dr. Ley 100+ prescription days (2011, 2012, 2013)

### 39. Surveillance at 23 East Main Street, Carmel, Hamilton County, Indiana

- a. On various occasions during this investigation, DEA and CPD officers conducted surveillance at the DORN office located at 23 East Main Street, Carmel, Indiana. During those surveillances, Dr. Ley typically arrived at the DORN-Carmel office on the weekdays at approximately 9:15 a.m. and would generally leave DORN-Carmel by noon. Surveillance teams never observed Dr. Ley to be present at DORN-Carmel on Saturdays, but pole cameras overlooking this location recorded Dr. Ley's arrival to DORN-Carmel on Sunday mornings. During weekdays and Sundays, Dr. Ley appeared to be the only physician present at DORN-Carmel. Dr. Ley routinely was observed driving a late model white colored Ford Expedition which is registered to the DORN-Carmel address. Entry into the DORN-Carmel office could be done either through a door located on the back of the building's exterior (which Dr. Ley almost always utilized) or through the DORN office's main entrance located on the second floor of the building's interior. The interior door was labeled with "DORN" signage.
- b. Surveillance teams, on multiple occasions in December 2013 and January 2014, observed DORN staff (such as Cassy Bratcher) typically arrive and enter the DORN-Carmel practice around 8:30 a.m. on weekdays. During this timeframe on weekdays, surveillance personnel periodically observed individuals entering and leaving the DORN-Carmel office before any medical practitioner was onsite. INSPECT records displayed that even though no medical practitioners were onsite, these individuals were still able to obtain Suboxone prescriptions issued under Dr. Ley's and Dr. Agapios' DEA registrations (Note: Dr. Agapios was observed by surveillance personnel to be onsite at the DORN-Carmel office only on Saturday mornings).



**INVESTIGATION DETAILS:**  
***Dr. George Agapios and the DORN Office***  
***located at 23 East Main, Suite 200, Carmel***  
***(Saturdays)***

40. *Dr. George Agapios background.*

- a. On May 17, 2012, DEA IDO DI's conducted a regulatory inspection with Dr. George Agapios in Pendleton, Indiana. At that time, Dr. Agapios stated that he was a family practice doctor with the St. Vincent Physician network and that he additionally treated drug addicted patients at the DORN-Carmel clinic operated by Dr. Larry Ley. Dr. Agapios informed DI's that he worked every other Saturday at the DORN-Carmel clinic from 7:00 a.m. until 11:00 a.m. Agapios stated that at DORN-Carmel he treated both drug addicted patients and pain patients.
- b. A review of St. Vincent's website ([www.stvincent.org](http://www.stvincent.org)) indicated that Dr. Agapios was still employed as a family medicine doctor at the St. Vincent location in Pendleton, Indiana, when this investigation was initiated.

41. On December 7, 2013; December 14, 2013; and January 4, 2014 (all Saturdays), investigators conducted surveillance at 23 East Main Street, Carmel, Indiana, and observed a vehicle parked in the rear parking lot which was registered to George Agapios.

- a. On all dates, videotape recorded numerous people entering and leaving the office.
- b. Investigators also observed Eric Ley (the son of Dr. Larry Ley) and Cassy Bratcher (the DORN-Carmel office manager) at the office with Dr. Agapios.
- c. According to INSPECT, Dr. Agapios issued 47 Suboxone prescriptions on December 7, 2013; 75 Suboxone prescriptions on December 14, 2013; and 52 Suboxone prescriptions on January 14, 2014.

42. On Saturday, January 11, 2014, investigators conducted surveillance at 23 East Main Street, Carmel, Indiana.

- a. Twenty-nine vehicles were observed in the rear parking lot at 8:07 a.m., with two vehicles licensed in Kentucky and one from Ohio. Investigators were able to see through the second floor windows of the office and observed Eric Ley on 11 occasions during a 49 minute period obtain a small piece of paper from a suspected printer and move west through the office to a separate room where a person suspected of being Dr. Agapios was seated. Dr. Agapios would then turn and bend over from a seated position in his chair giving the impression he was signing the piece of paper. Eric Ley was then observed exiting Dr. Agapios' office and returning to the main office where patients were lined up. To investigators, it appeared that Eric Ley was printing prescriptions and having Dr. Agapios sign them without seeing the patients.

On only one occasion during the noted 49 minute period did Dr. Agapios appear to meet with a patient in his office. Dr. Agapios remained seated alone at his desk in the adjacent office for the majority of the time the DORN-Carmel office was open. Dr. Agapios was observed exiting the office at 11:18 a.m.

- b. According to INSPECT, Dr. Agapios issued 73 prescriptions on Saturday, January 11, 2014.

43. On Saturday, February 1, 2014, investigators surveilled 23 East Main Street, Carmel, Indiana, beginning at 6:45 am.

- a. From approximately 7:00 a.m. until 10:45 a.m., investigators observed approximately 100 plus people enter and leave the DORN-Carmel office. Investigators observed Dr. Agapios meet with only one patient while the other patients met with either Cassy Bratcher or Eric Ley and left a short time later. Investigators observed Eric Ley on approximately 19 occasions hand a small piece of paper to Dr. Agapios in which it appeared that Dr. Agapios signed; giving the impression that it was a prescription. Dr. Agapios remained seated at a desk in an adjacent office for the majority of the time the office was open. Many of these observations were video recorded.

- b. According to INSPECT, Dr. Agapios authored 26 Suboxone prescription on February 1, 2014.

44. On Saturday, February 8, 2014, investigators surveilled 23 East Main Street, Carmel, Indiana, beginning at 6:45 a.m.

- a. From approximately 7:00 a.m. until 11:27 a.m., investigators observed approximately 100 plus people enter and leave the office. Investigators observed Dr. Agapios meet with only one patient while the other patients met with either Cassy Bratcher or Eric Ley and left a short time later. Investigators observed Eric Ley on approximately 10 occasions hand a small piece of paper to Dr. Agapios in which it appeared that Dr. Agapios signed; giving the impression that it was a prescription. Dr. Agapios remained seated at a desk in an adjacent office for the majority of the time the office was open. Many of these observations were video recorded.

- b. According to INSPECT, Dr. Agapios authored 53 Suboxone/buprenorphine prescriptions on February 8, 2014.

45. On Saturday, March 1, 2014 investigators surveilled 23 East Main Street, Carmel, Indiana, beginning at 6:45 am.

- a. From approximately 7:00 a.m. until 9:30 a.m., investigators observed over 50 people enter and leave the office. Investigators observed Dr. Agapios meet with only one patient while the other people met with either Cassy Bratcher or Eric Ley and left a short time later. Investigators observed Eric Ley on approximately three occasions hand a small piece of paper to Dr. Agapios in which it appeared that Dr. Agapios signed; giving the impression that it was a prescription. Many of these observations



were video recorded. Dr. Agapios remained seated at a desk in an adjacent office for the majority of the time the office was open.



Figure 5: Surveillance photograph, March 1<sup>st</sup>, prior to opening

- b. According to INSPECT, Dr. Agapios authored 42 Suboxone/buprenorphine prescriptions on March 1, 2014.

46. According to INSPECT records:

- a. In 2011, approximately 615 patients had pharmacies fill Buprenorphine/Suboxone prescriptions written by Dr. Agapios. In 2012, approximately 680 patients had pharmacies fill Buprenorphine/Suboxone prescriptions written by Dr. Agapios. In 2013, approximately 750 patients had pharmacies fill Buprenorphine/Suboxone prescriptions written by Dr. Agapios.
- b. Per INSPECT, the vast majority of Buprenorphine/Suboxone prescriptions written by Agapios were written on Fridays and Saturdays on a two-weeks-on, two-weeks-off pattern. This indicates that prescriptions written on Fridays were likely pre-signed as Dr. Agapios did not see patients at DORN-Carmel on Fridays.

**INVESTIGATION DETAILS:**  
***Dr. Luella Bangura and the DORN Office***  
***located at 3827 South LaFountain, Kokomo***  
***(Wednesdays)***

**47. Dr. Luella Bangura background.**

- a. DEA MRO DI's conducted a regulatory inspection of Dr. Luella Bangura on December 21, 2012, at her office in Lafayette, Indiana.
- b. Dr. Bangura's medical specialty is internal medicine, but as of April 9, 2012, Dr. Bangura has been authorized to treat opiate dependent patients. At the time of the December 2012 interview, Dr. Bangura claimed to be treating 20 active patients and she required all patients to attend private counseling sessions at least once a month.

48. On November 13, 2013, DEA surveillance personnel conducted surveillance on the DORN facility at 3827 South LaFountain Street, Kokomo, Indiana. This facility is a small unmarked office in a strip mall near Highway 31. See photo below. The office is only open every other Wednesday from approximately 5:00 pm to 7:30 pm.

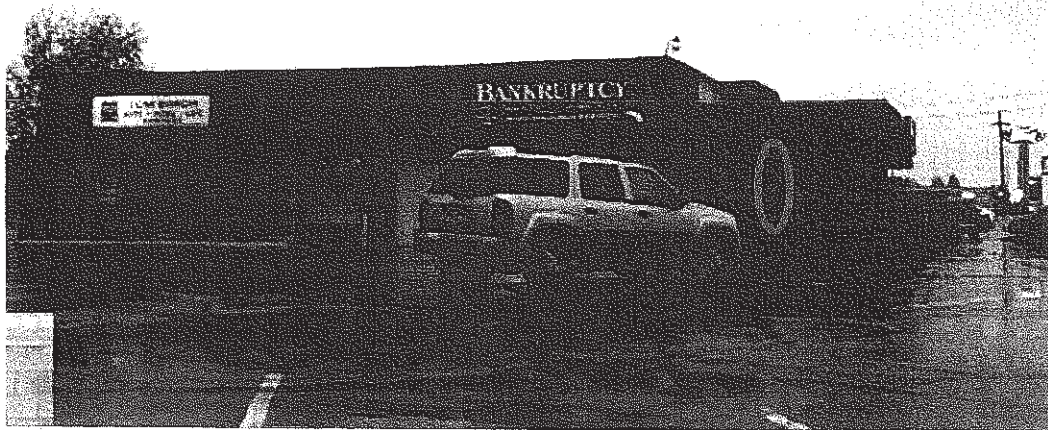


Figure 6: DORN-Kokomo, 3827 South LaFountain Street, Kokomo, Howard County

- a. Seen entering the DORN Kokomo office was on this date was Eric Ley. This office had a person (identified as Joseph Mackey) located outside the office in the parking lot with a clipboard taking names and arranging people. It was very common too see numerous cars in the parking lot by 4:30 p.m. waiting on the office to open. On November 13, 2013, investigators observed Dr. Bangura arrive at approximately 5:26 p.m., but the office was already open and several people had entered and left carrying a document suspected of being a prescription. Investigators observed approximately 80 people enter and leave the office on this date.

- b. According to INSPECT, Dr. Bangura issued at least 76 Suboxone prescriptions on November 13, 2013.
49. On December 11, 2013, surveillance was again conducted on the DORN Kokomo office.
- a. On this date, Cassy Bratcher, the office manager at DORN-Carmel, was observed speaking with numerous people in the parking lot of DORN-Kokomo before opening time. Eric Ley and Dr. Bangura were both onsite on this date as well. Investigators were able to observe people enter the DORN-Kokomo office and line up in front of a desk. Eric Ley was observed to move from the desk to a back room where Dr. Bangura later exited from. Investigators observed one person enter and leave the office in one minute and 27 seconds. Investigators also believe they observed two other individuals who might have been conducting urine drug tests. At the close of business on December 11, 2013, Eric Ley departed; drove directly to a Key Bank; and appeared to make a deposit. Investigators observed approximately 117 people enter the DORN-Kokomo office on December 11, 2013.
  - b. According to INSPECT, Dr. Bangura issued at least 66 Suboxone prescriptions on this date.
50. On January 8, 2014, investigators observed the Kokomo office to be open at approximately 5:00 p.m.
- a. Dr. Bangura did not arrive at the office until 5:12 p.m., but several patients were observed departing with suspected prescriptions before Dr. Bangura entered the office. Investigators observed one female enter and leave the office in one minute. Investigators observed approximately 97 people enter the office between 5:00 p.m. and 7:30 p.m.
  - b. According to INSPECT, Dr. Bangura issued at least 44 Suboxone prescriptions on this date.
51. On January 22, 2014 investigators observed the Kokomo office to be open at approximately 5:02 p.m.
- a. Investigators observed approximately 65 people enter the office between 5:02 p.m. and 7:28 p.m. when the office closed.
  - b. According to INSPECT, Dr. Bangura issued 39 prescriptions on January 22, 2014.
52. On February 19, 2014 investigators observed the Kokomo office to be open at approximately 5:00 p.m.
- a. Investigators observed approximately 59 people enter the office between 5:00 p.m. and 7:32 p.m. when the office closed.
  - b. According to INSPECT, Dr. Bangura issued 39 prescriptions on February 19, 2014.

53. On April 2, 2014 investigators observed video recordings of the Kokomo office.

a. Investigators observed approximately 70 people enter the office between 4:59 p.m. and 7:50 p.m. when the office closed. Dr. Bangura was not observed arriving and entering the office until 5:40 p.m. Approximately 34 people entered and left the office prior to Dr. Bangura's arrival. Vehicles linked to Felicia Reid and Eric Ley were observed at the office on this date.

b. According to INSPECT, Dr. Bangura issued 44 prescriptions on April 2, 2014

54. Per INSPECT, Dr. Bangura wrote over 100 Suboxone/Buprenorphine prescriptions per day during 2013 on the following dates:

Date	# of Patient Prescriptions	Day of week	Minutes per Prescription (based on 150 minutes)
7/24/2013	122	Wednesday	1.2
6/26/2013	120	Wednesday	1.3
8/21/2013	116	Wednesday	1.3
9/18/2013	113	Wednesday	1.3
10/16/2013	108	Wednesday	1.4
5/29/2013	107	Wednesday	1.4

Figure 7: Table of Dr. Bangura's 100+ prescription days (2013)

***INVESTIGATION DETAILS:  
Dr. Ronald Vierk and the DORN Office  
located at 801 Airport Road, Centerville  
(Wednesdays)***

55. *Dr. Ronald Vierk background.*

a. On June 6, 2012, DEA IDO DI's conducted a regulatory inspection of Dr. Ronald Vierk at 801 Airport Road, Centerville, Indiana. According to Dr. Vierk his office hours at the facility are Wednesdays from 4:00 pm until 6:30 pm. Dr. Vierk informed DI's that he was a staff anesthesiologist at Reid Hospital in Richmond, Indiana, and



has been working as an independent contractor with Dr. Larry Ley since 2007 through the DORN network. Dr. Vierk stated that he treats two types of DORN patients, addicted patients and pain management patients. At that time, Dr. Vierk stated that he had 58 drug addicted patients and 112 pain patients that he was currently treating with DORN.

- b. According to the Reid Hospital website ([www.reidhospital.org](http://www.reidhospital.org)), Dr. Ronald Vierk was still an anesthesiologist employed at the hospital as of the initiation of this investigation.

56. According to Wayne County, Indiana, property records, Larry Ley of 23 East Main Street, Carmel, Indiana purchased 801 Airport Road, Centerville, Indiana on November 9, 2010, for \$83,000. The property is listed as a "commercial auto sales and service" on the Wayne County property records. The building on the property resembles a small, one-story sided house surrounded by a gravel parking lot. See photo below.

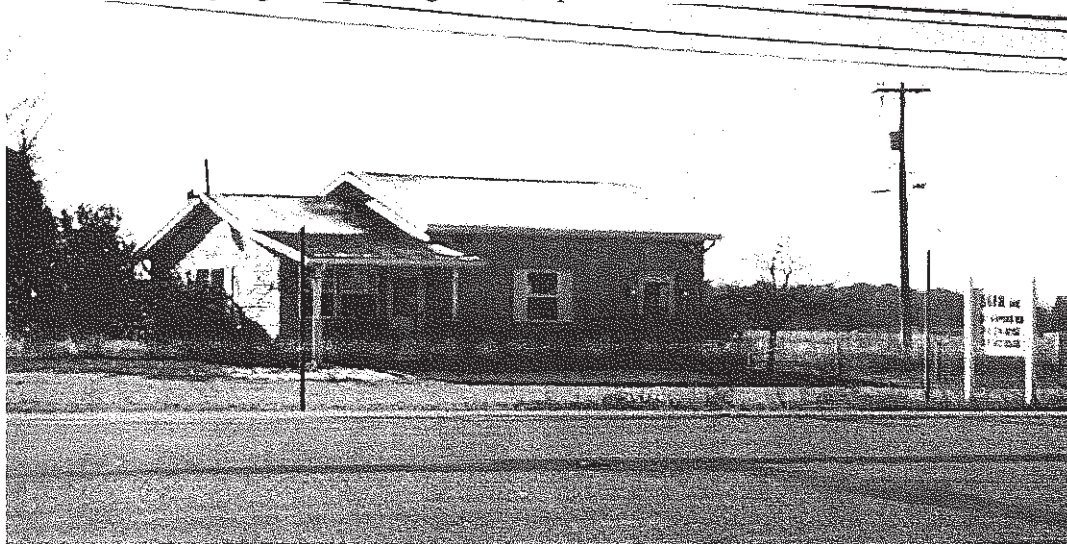


Figure 8: DORN-Centerville, 801 Airport Road, Centerville, Wayne County, Indiana

57. In November 2013, investigators viewed signage at 801 Airport Road, Centerville, Indiana, listing the building as a DORN site. One sign affixed to the entrance door stated the following, "If you don't want to pick-up cigarette butts.....please don't smoke. Thank you Dr. Ley." Another sign affixed to the same entrance door listed weekly openings and hours. According to the schedule, the office was open approximately three days per month from 4:00 p.m. until 6:30 p.m., with patients being seen either on a monthly schedule or a bi-weekly schedule. A sign in the parking of the Centerville facility listed the "DORN" name and a phone number of 765-274-6152. Telephone records list this number to be subscribed to D.O.R Network, Inc., at 23 East Main Street, Carmel, Indiana.
58. Since November 20, 2013 investigators have conducted either physical surveillance or video recorded surveillance (beginning on December 4, 2013) at 801 Airport Road, Centerville, IN. On all occasions investigators observed patients lined up outside the DORN office, sometimes approximately 25 people deep, waiting to gain entrance into the facility. See photo below. Investigators have observed the facility to be open approximately three hours

and have seen anywhere from approximately 60 to over 100 patients in that timeframe with the last patient being seen usually around 6:30 p.m. Investigators believe that DORN-Centerville grosses approximately \$6,000 to \$8,000 an evening when open based upon the business model described in paragraph 37 above and verified by undercover officers below.



Figure 9: Surveillance Photograph, Centerville, November 20, 2013

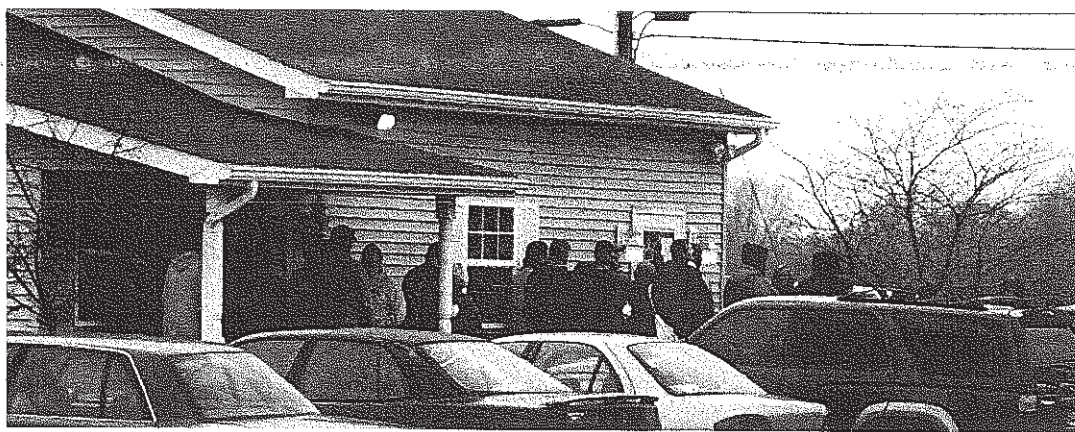


Figure 10: Surveillance Photograph, Centerville, December 4, 2013

59. On Wednesday, November 27, 2013, investigators conducted surveillance at DORN at 801 Airport Road, Centerville, Indiana.

- a. Investigators observed approximately 89 patients enter the building within a 2 1/2 hour time period which equates to one patient every 1.7 minutes. The only medical related person at the building was Yvonne Morgan, a state of Indiana Registered Nurse who had driven a vehicle registered to DORN. Dr. Vierk was not observed at the building site the entire evening the facility was open. According to both federal and state law, prescriptions must be signed and dated on the date of issuance.



- b. According to INSPECT, Dr. Vierk issued 71 Suboxone/buprenorphine prescriptions on November 27, 2013. It is suspected that Dr. Vierk pre-signed these prescriptions and provided them to Yvonne Morgan for issuance to patients on the evening of November 27, 2013.

60. On December 18, 2013, investigators conducted surveillance at 810 Airport Road.

- a. Investigators observed approximately 107 people were entering and leaving the DORN office.
- b. According to INSPECT, Dr. Vierk authorized a total of 66 Suboxone or buprenorphine prescriptions on December 18, 2013. Note: INSPECT will not capture all the prescriptions issued from this location as some patients, due to the location of the practice, filled their prescriptions in Ohio, and INSPECT is purely an Indiana database.

61. *Pharmacist #1.*

- a. On December 19, 2013, investigators interviewed a local pharmacist hereafter referred to as PH<sup>#1</sup> in Richmond, Indiana, regarding area Suboxone doctors. PH<sup>#1</sup> confirmed that Dr. Ronald Vierk was an anesthesiologist at Reid Hospital who also worked at a clinic that is associated with Dr. Larry Ley. According to PH<sup>#1</sup>, Dr. Vierk was Richmond's largest Suboxone prescriber. Some of Dr. Vierk's Suboxone prescriptions were for "for pain", but the mother of one patient told PH<sup>#1</sup> over a year ago that she did not know why her son's prescription listed the Suboxone for pain as her son was addict.

62. *Pharmacist #2.*

- a. On December 19, 2013, investigators interviewed another pharmacist in Richmond, Indiana, hereafter referred to as PH<sup>#2</sup> also regarding Dr. Vierk. PH<sup>#2</sup> stated that Dr. Vierk is the only doctor she has seen who writes Suboxone prescriptions for pain. PH<sup>#2</sup> stated that Dr. Vierk's Suboxone prescriptions for pain and addiction had the same dosage amounts.

63. *Pharmacist #3.*

- a. On January 2, 2014 investigators spoke with an Indiana pharmacist hereafter referred to a PH<sup>#3</sup> who was knowledgeable about the Richmond, Indiana area. PH<sup>#3</sup> stated that Dr. Ronald Vierk writes Suboxone prescriptions "for pain" and by doing so, does not have to follow the 100 patient limit." PH<sup>#3</sup> considered the off label use of Suboxone to be bad medicine.

64. On January 15, 2014, investigators conducted surveillance at DORN-Centerville.

- a. Investigators observed several people enter and exit the DORN office before Dr. Vierk arrived at 4:30 p.m. Investigators suspect that Yvonne Morgan or another employee supplied these patients with a prescription authored Dr. Vierk.

Investigators observed approximately 87 people enter and leave DORN-Centerville between 4:00 p.m. and 6:57 p.m. when the office closed. One patient entered at 6:51 p.m. and departed at 6:53 p.m.

- b. According to INSPECT, Dr. Vierk authorized a total of 69 prescriptions for Suboxone/buprenorphine on January 15, 2014 that were filled in Indiana.

65. On February 12, 2014, investigators reviewed video recordings at DORN-Centerville.

- a. Investigators observed approximately 20 people lined up outside the entry door at 4:00 p.m. Investigators observed approximately 58 people enter and leave DORN-Centerville between 4:01 p.m. and 6:38 p.m. when the office closed. Neither Dr. Vierk nor his usual vehicle were seen at the office on this date. Investigators suspect that Yvonne Morgan or another employee supplied these patients with a prescriptions authored by either Dr. Vierk.
- b. INSPECT records indicate that Dr. Vierk authorized 69 prescriptions for Suboxone/buprenorphine on this date.

66. On February 19, 2014, investigators reviewed video recordings at DORN-Centerville.

- a. Investigators observed numerous people lined up at the door at 4:06 p.m. Investigators observed approximately 74 people enter and leave DORN between 4:06 p.m. and 6:35 p.m. when the office closed.
- b. INSPECT records indicate that Dr. Vierk authorized 47 Suboxone/buprenorphine prescriptions on this date that were filled in Indiana.

67. On February 26, 2014, investigators reviewed video recordings at DORN-Centerville

- a. Investigators observed numerous people lined up at the door at 4:00 p.m. Investigators observed approximately 85 people enter and leave DORN-Centerville between 4:00 p.m. and 6:36 p.m. when the office closed. Dr. Vierk was observed departing at 6:31 p.m. At approximately 6:32 p.m. a person entered and left the office at 6:34 p.m. with a suspected prescription in his hand.
- b. INSPECT records indicate that Dr. Vierk authorized 23 Suboxone/buprenorphine prescriptions on this date that were filled in Indiana.

68. On March 12, 2014, investigators reviewed video recordings at DORN-Centerville and

- a. Investigators observed numerous people lined up at the door at 3:55 p.m. Investigators observed approximately 114 people enter and leave DORN between 3:55 p.m. and 7:50 p.m. when the office closed. Dr. Vierk was not observed but Dr. Ley was and he departed at 7:50 p.m. According to video recordings, 31 people entered and left the office between 3:55 p.m. and 4:30 p.m.

- b. INSPECT records indicate that Dr. Ley authorized 83 Suboxone/buprenorphine prescriptions on this date that were filled in Indiana. INSPECT records also indicate that Dr. Vierk authorized 20 Suboxone/buprenorphine prescriptions and had 61 others filled on this date in Indiana.

69. On April 2, 2014, investigators reviewed video recordings at DORN-Centerville

- a. Investigators observed several people lined up at the door at 3:59 p.m. Investigators observed approximately 35 people enter and leave DORN-Centerville between 4:00 p.m. and 6:54 p.m. when the office closed. Neither Dr. Vierk nor Dr. Ley or their vehicles were observed at this office while it was open.
- b. INSPECT records indicate that Dr. Ley authorized 10 Suboxone/buprenorphine prescriptions on this date. INSPECT records also indicate that Dr. Vierk authorized six Suboxone/buprenorphine prescriptions and had 21 others filled on this date in Indiana.

70. Per INSPECT, Dr. Vierk wrote over 100 Suboxone/Buprenorphine prescriptions per day during 2013 on the following dates:

Date	# of Patients Prescriptions	Day of week	Minutes per Prescription (based on 150 minutes)
7/10/13	128	Wednesday	1.2
10/30/13	119	Wednesday	1.3
9/11/13	110	Wednesday	1.4
7/3/13	109	Wednesday	1.4
9/4/13	108	Wednesday	1.4
11/6/13	107	Wednesday	1.4
10/9/13	106	Wednesday	1.4
5/8/13	101	Wednesday	1.5

Figure 11: Table of Dr. Vierk's 100+ patient prescription days, 2013

**INVESTIGATION DETAILS:**  
**Andrew Dollard and the DORN Office**  
**located at 813 Westfield Road, Suite 100, Noblesville**  
**(Fridays)**

71. As documented earlier (see paragraphs 31, 33.b, and 34 above), two former patients identified DORN to have a practice in Noblesville in which patients could attend every other Friday between 6:00 a.m. and 9:30 a.m. for subsequent visits to obtain prescriptions for Suboxone for a fee of \$80 cash. Patients identified Andrew Dollard, with assistance from two other males, as the person they met with to obtain the Suboxone prescriptions. Allegedly, these prescriptions bore the signature of Dr. Larry Ley, as patients informed investigators that Dollard was an attorney.

72. *Andrew James Dollard Background.*

- a. According to the Indiana court system webpage, Andrew James Dollard, attorney #28949-29 was admitted to the Indiana bar on May 17, 2010 and is in good standing as of January 24, 2014. Dollard's contact information lists an address of 920 Logan Street, Noblesville, IN. According to webpage [www.dollardlaw.com](http://www.dollardlaw.com), Dollard's career focus is in criminal law. Dollard's website lists his address as being 920 Logan Street, Noblesville, Indiana.

73. Based off the information provided by the former patients, investigators identified the DORN Noblesville site to be located at 813 Westfield Road, Suite 100, Noblesville, Indiana. A placard listing "DORN" was located outside the suite door.



Figure 12: DORN-Noblesville, 813 Westfield Road, Suite 100, Noblesville, Hamilton County



74. On Friday, January 31, 2014, investigators surveilled 813 Westfield Road, Noblesville, Indiana, beginning at 5:45 a.m.

- a. At 6:00 a.m., Andrew Dollard along with DORN employee Derek Tislow were observed entering the DORN office followed by approximately six people. From 6:00 a.m. until approximately 9:59 a.m., approximately 45 people were seen entering and leaving the DORN-Noblesville office. Oftentimes, these people exited the DORN office after only a few minutes. At one point Dr. Ley visited the office for approximately 38 minutes. Only six people were seen arriving when Dr. Ley was present. At another point, only Derek Tislow, was observed to be inside the office along with a urine drug screen employee.
- b. Using INSPECT, investigators confirmed that several of the patients seen at 813 Westfield Road on this date received Dr. Ley authorized Suboxone prescriptions. Many of these prescriptions were dated on January 20, 2014, but not filled until January 31, 2014. One registered vehicle that was seen at the office was from LaPorte, Indiana, which approximately 128 miles northwest of Noblesville. After the office closed, Attorney Dollard's vehicle was later observed parked near his law office on Logan Street in Noblesville.

75. On Friday, February 7, 2014, investigators surveilled 813 Westfield Road, Noblesville, Indiana beginning at 5:45 a.m.

- a. Andrew Dollard along with Derek Tislow was observed entering the location at approximately 5:47 a.m. From 5:47 a.m. until approximately 9:36 a.m., approximately 90 people were seen entering and leaving the DORN office – oftentimes after only a few minutes. At one point Dr. Ley visited the office for approximately 64 minutes. Approximately 73 patients were seen arriving and leaving after Dr. Ley's departure.
- b. Using INSPECT, investigators confirmed that several of the patients seen at 813 Westfield Road on February 7 received Dr. Ley authorized Suboxone prescriptions, many of which were dated on February 6, 2014, and earlier. After the office closed, Tislow met with Dollard and Dr. Ley at a restaurant in Fishers.

76. On Friday, February 21, 2014, investigators surveilled 813 Westfield Road, Noblesville, Indiana beginning at 7:31 a.m.

- a. Andrew Dollard along with Derek Tislow were observed via video recording entering the location at approximately 5:59 a.m. From 5:59 a.m. until approximately 9:53 a.m., approximately 85 people were seen entering and leaving the office - oftentimes after only a few minutes. At one point Dr. Ley visited the office for approximately 68 minutes. Approximately 61 patients were seen arriving and leaving after Dr. Ley's departure.
- b. Using INSPECT, investigators confirmed that several of the patients seen at 813 Westfield Road on February 21 received Dr. Ley authorized Suboxone prescriptions, many of which were dated on previous days.

77. On Friday, February 28, 2014, investigators surveilled 813 Westfield Road, Noblesville, Indiana, beginning at 5:45 a.m.

- a. Andrew Dollard along with Derek Tislow were observed entering the location at approximately 5:57 a.m. From 5:57 a.m. until approximately 10:12 a.m., approximately 55 people were seen entering and leaving the office - oftentimes after only a few minutes. At one point Dr. Ley visited the office for approximately 41 minutes. Approximately 47 patients were seen arriving and leaving after Dr. Ley's departure.
- b. According to Inspect, Dr. Ley authorized nine Suboxone/buprenorphine prescriptions on February 28, and had an additional 22 prescriptions written on February 17, but filled on February 28, 2014.

78. *Business Meeting.*

- a. Soon after the office closed on February 28, 2014, Tislow and Dollard met with an unknown male (UM) at the Fishers, Indiana restaurant previously identified as "The Roost."
- b. While in "The Roost," investigators overheard Dollard recruiting on behalf of DORN/Dr. Ley. Dollard was heard telling the UM that DORN wanted to expand and that the business was all cash. Dollard was heard to explain that there was no competition, that the business model was established, and that the office manager ran everything. Dollard further explained that doctors worked two to four hours per location for pay of \$400 cash per hour. The UM replied that he knew there would be doctors interested.

79. On Friday, March 7, 2014, investigators surveilled 813 Westfield Road, Noblesville, Indiana, beginning at 5:45 a.m.

- a. Andrew Dollard along with Derek Tislow were observed entering the location at approximately 5:58 a.m. From 5:58 a.m. until approximately 9:38 a.m., approximately 56 people were seen entering and leaving the office - oftentimes after only a few minutes. At one point Dr. Ley visited the office for approximately 64 minutes. Approximately 34 patients were seen arriving and leaving after Dr. Ley's departure.
- b. According to Inspect, Dr. Ley authored 18 Suboxone/buprenorphine prescriptions on March 7, 2014 but 79 Suboxone/buprenorphine were filled on March 7 with the majority of these dated on March 4, 2014.

80. In an April 29, 2014, article in the *Current in Carmel*, a local Hamilton County newspaper, Andrew Dollard, who was at that time a candidate for Hamilton County Council, made the following statement:

"I decided to attend law school and commuted to Lansing, Mich., from Fishers weekly for three years to obtain my law degree, all while maintaining employment at a substance abuse clinic in Noblesville."



**INVESTIGATION DETAILS:**  
***DORN / Living Life Clean office***  
***located at 121 North High Street, Muncie***  
***(Wednesdays)***

81. As documented earlier (see paragraphs 30, 32, and 33.b), two former patients identified DORN to have a practice in Muncie in which patients could attend bi-weekly on Wednesdays beginning at 7:30 a.m. for subsequent visits to obtain prescriptions for Suboxone for a fee of \$80 cash. Patients identified "Melanie" and "Jessica" as the DORN employees they met with to obtain Suboxone prescriptions. Allegedly, these prescriptions were pre-signed by Dr. Larry Ley, as patients informed that the doctor was rarely if ever seen in this office.
82. In January 2014, based on the information the former patients provided, investigators traveled to 121 North High Street, Muncie, Indiana, and observed an office having signage of "Living Life Clean" and office hours listed on the door displaying the business to be open Mondays, Wednesdays, and Fridays from 7:30 a.m. to 3:00 p.m.
83. On Wednesday, February 26, 2014, investigators surveilled 121 North High Street, Muncie, Indiana beginning at 6:30 a.m.
- a. At one point, Dr. Ley visited the office for approximately 49 minutes. Also observed at the office for most of the day was Yvonne Morgan. From 7:00 a.m. until approximately 5:02 p.m., approximately 74 people or more entered DORN Muncie after Dr. Ley departed the office. Many of these people were observed departing DORN with a document appearing to be a prescription.
  - b. According to INSPECT, Dr. Ley authorized six Suboxone/buprenorphine prescriptions on February 26, 2014; however, Dr. Ley had approximately 80 new Suboxone/buprenorphine filled on February 26 which had been written on earlier dates with the majority being written on February 17, 2014. INSPECT also showed that a majority of the prescriptions filled on February 26, 2014 were filled at Muncie or Anderson pharmacies with the remaining in surrounding areas
84. On Wednesday, March 12, 2014, investigators surveilled 121 North High Street, Muncie, Indiana, beginning at 6:30 a.m.
- a. From 7:00 a.m. until approximately 9:30 a.m., approximately 32 people entered and departed - many of whom departed with a document appearing to be a prescription. Neither Dr. Ley nor his vehicle were observed at the office during the time of the surveillance. Two females suspected of being Yvonne Morgan and Jessica Callahan were the only employees observed at the office.

85. On Wednesday, March 19, 2014, investigators surveilled 121 North High Street, Muncie, Indiana beginning at 6:30 a.m. Dr. Ley was observed at the office from 7:25 a.m. until approximately 9:17 a.m. Three females suspected of being Yvonne Morgan, Jessica Callahan, and Melanie Eiler were the only employees observed at the office. Investigators observed approximately 12 different people enter and leave the office after Dr. Ley departed, many of whom departed with a document appearing to be a prescription

***INVESTIGATION DETAILS:  
413 Chris Lane, Noblesville  
(Dr. Ley's Residence)***

86. Indiana driver license records listed 413 Chris Lane, Noblesville, Indiana as Dr. Larry Ley's residence. Numerous surveillances of this address resulted in investigators confirming that Dr. Ley and his son Eric Ley do reside at this location.
87. On January 31, 2014, Carmel Police Department (CPD) officers retrieved trash from the curb at 413 Chris Lane which revealed a Chase Bank transaction receipt in the amount of \$8,282 to an account ending in 8436, which corresponds with that found through financial investigation details in paragraph 95 below.
88. On February 14, 2014, CPD officers again retrieved trash from the curb of 413 Chris Lane which revealed an empty prescription bottle for a controlled substance issued to Andrew Dollard that was issued by Dr. Larry Ley. Also found in the trash was an empty vial of a different controlled substance without any patient information.

***INVESTIGATION DETAILS:  
13658 Smokey Ridge Place, Carmel  
(Andrew Dollard's Residence)***

89. According to Indiana driver's license information, Dollard resides at 13658 Smokey Ridge Place, Carmel, Indiana. Investigators have also observed vehicles registered to Dollard parked in the driveway at 13658 Smokey Ridge Place, Carmel, IN on several occasions. Dr. Ley may be the lienholder for this residence.
90. According to Hamilton County property records, the 13658 Smokey Ridge Place property has been owned by Dollard since November 2012 but was owned prior to that by "Larry J. Ley" since at least 1998. The property card for the residence reports a sale price of \$155,800 but an assessed value of \$425,000.

91. The 13658 Smokey Ridge Place property had been listed as LLC and Abigail Ley's address in the Secretary of State filings for LLC. See paragraph 9.b above.
92. On July 8, 2014, CPD officers retrieved trash from the curb of 13658 Smokey Ridge Place, Carmel, Indiana,
- In the subsequent search of that trash, officers found a Sprint telephone monthly statement for subscriber Derek Tislow (also with a mailing address 13658 Smokey Ridge Place, Carmel, Indiana). The telephone number listed on this statement (317-201-1495) is associated with the S.O.S. Group, LLC, which is a counseling service recommended to patients by DORN.
  - Indiana Secretary of State records displayed that the S.O.S. Group, LLC., was created in Indiana on October 28, 2013, and Andrew Dollard was the registered agent for this business.
93. On July 15, 2014, CPD officers again retrieved trash from the curb of 13658 Smokey Ridge Place, Carmel, Indiana. In the subsequent search of that trash, officers found an AT&T monthly statement for subscriber Drug & Opiate Recovery Network, Inc., located at address 813 Westfield Road, Noblesville, Indiana.

### **INVESTIGATION DETAILS:**

#### ***Dr. Larry Ley Financial Information***

94. Southern District of Indiana Bankruptcy records indicate that Larry J. Ley filed a voluntary Chapter 13 bankruptcy on or about September 8, 2000, which was closed on May 4, 2005, and involved approximately 15 creditors with claims totaling \$96,794.05.
95. A financial investigation conducted by investigators assigned to this investigation pursuant to Federal Grand Jury subpoenas indicate the following banking information relative to Larry Ley and DORN with approximate account totals as of February 2014:

Bank	Account#	Name on Account	Account Balance of February 2014
Key	██████████9595	DORN/Larry Ley	\$ 23,626.49
Old National	██████████2259	DORN	\$ 73,848.15
Chase	██████████8436	DORN	\$ 142,822.21
Chase	██████████6021	L.J. Ley	\$ 38,804.67
Chase	██████████7558	L.J. Ley	\$ 143,841.74
Chase	██████████352-2	L. J. Ley	NA / Safe Deposit Box

Figure 13: Table of bank accounts and Safe Deposit Box

96. A review of Key Bank Account # [REDACTED] 9595 listed to Drug & Opiate Recovery Network, Inc., 23 East Main Street, Suite 200, Carmel, Indiana indicated that on November 25, 2013, the account had a zero balance and by November 30, 2013, had an ending balance of \$6,779.00. On December 11, 2013, officers conducted surveillance at the DORN-Kokomo office and observed approximately 117 people enter the office. Immediately after the office closed Eric Ley was observed stopping by Key Bank in Kokomo. According to Key Bank records a deposit of \$9,897.00 was recorded to the account on December 12, 2013. On December 22, 2013, officers conducted surveillance at the DORN-Kokomo office and observed approximately 65 people enter the office. Immediately after the office closed Eric Ley was observed stopping by Key Bank in Kokomo. According to Key Bank records a deposit of \$3,960.00 was recorded to the account on December 23, 2013. Investigators know that DORN only accepts cash from its patients.
97. A review of Old National Bank Account # [REDACTED] 2259 listed to the Drug and Opiate Recovery Network, Inc., 23 East Main Street, Suite 200, Carmel, Indiana indicates that between the months of November 2013 through February 2014 the account shows deposits of \$32,739.47; \$32,261.13; \$41,736.38 and \$21,841.87. The majority of these monthly deposits were in even number deposits such as \$1,340, \$2,370 or \$2,545 indicating cash deposits. Several of the February deposits dates correspond with dates that DORN was open such as Muncie on February 26 with a corresponding deposit of \$3,971.32 and Noblesville on February 28 with a corresponding deposit of \$2,238.
98. A review of Chase Bank Account # [REDACTED] 8436 listed to the Drug and Opiate Recovery Network, Inc., 23 East Main Street, Suite 200, Carmel, Indiana indicates that between the months of November 2013 through February 2014 the account shows deposits of \$132,621; \$58,102; \$85,048 and \$84,517. All of these monthly deposits are in even number deposits such as \$9,932, \$8,422, \$8,282, or \$40,000 indicating cash deposits. Several of the February deposits dates correspond with dates that DORN was open such as Noblesville on February 21 with a corresponding deposit of \$7,265 on February 21 followed by another deposit on February 21 totaling \$5,220 indicating the possibility of "structuring."
- a. "Structuring" is the practice of executing financial transactions (such as the making of bank deposits) in a specific pattern calculated to avoid the creation of certain records and reports required by law, such as the United States' Bank Secrecy Act.
99. A review of Chase Bank Checking Account # [REDACTED] 6021 listed to L. J. Ley at 413 Chris Lane, Noblesville, Indiana indicates that between the months of November 2013 through February 2014 the account shows deposits of \$16,152.30; \$15,353.79; and \$11,823.77. Several of these monthly deposits are in even number deposits such as \$3,900, \$8,930 or \$8,000 indicating cash deposits. December and January deposit dates correspond with dates that DORN was open such as Centerville on December 23, 2013, followed by a deposit of \$3,900 on December 24, 2013. On January 9, 2014 a deposit of \$8,930 was made which is the day after DORN-Kokomo was open. This account also appears to receive Ley's monthly social security funds.
100. A review of Chase Bank Savings Account # [REDACTED] 7558 listed to L. J. Ley at 413 Chris Lane, Noblesville, Indiana indicates that between November 2013 through February

2014 the account shows one deposit on February 7, 2014 in the amount of \$10,750, which is the same day that DORN Noblesville was open.

101. A review of Chase Bank records indicated that on November 23, 2012, an annual fee for safe deposit box [REDACTED] 352-2 was charged in the amount of \$52. According to Chase Bank records this safe deposit box is located at 200 East Carmel Drive, Carmel, Indiana 46032.
102. Investigators have also observed through numerous surveillances that DORN or Living Life Clean operates four Ford vehicles all licensed and registered to DORN.
  - a. Dr. Ley operates a 2013 Ford Expedition. Cassy Bratcher operates 2010 Ford Expedition. Eric Ley operates a 2011 Ford F-150. Yvonne Morgan operates a 2012 Ford Edge.
  - b. All four vehicles have a combined value at well over \$100,000.00

***INVESTIGATION DETAILS:  
Undercover Agents***

103. On February 13, 2014, DI Gary Whisenand received federal court order approval from Southern District of Indiana Federal Magistrate Judge Tim Baker to conduct undercover activity in relation to Dr. Ley's Drug and Opiate Recovery Network (DORN) and Living Life Clean (LLC).
104. On March 25, 2014, DEA Special Agents Matt Holbrook and Dan Schmidt, acting in an undercover capacity met with Dr. Ley at his office at 23 East Main Street, Suite 200, Carmel, Indiana.
  - a. At the conclusion of the approximate two hour visit both undercover officers received Suboxone prescriptions for "chronic pain/pain management" in exchange for \$300 cash. During the approximate first hour of the visit which was conducted in a small conference room, Dr. Ley spoke about addiction and the attributes of Suboxone to both undercover officers as well as two other subjects who were all seated together. During the second half of the visit, Dr. Ley questioned each person in front of the others about if the person had pain issues and what drugs they used. Dr. Ley concluded the visit by assigning both undercover agents to the DORN Noblesville office for future visits and supplied a telephone number for "Andrew", who was identified as DORN-Noblesville's point of contact.
  - b. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on any of the two undercover officers or the third patient who was accompanied by his suspected father during the entire visit.



105. On March 27, 2014, DEA Task Force Officers (TFO) Andy Bonham and Tonda Cockrell acting in an undercover capacity met with Dr. Ley at his office at 23 East Main Street, Suite 200, Carmel, Indiana.

- a. At the conclusion of the approximate two hour visit both undercover officers received Suboxone prescriptions for "chronic pain" in exchange for \$300 cash. During the approximate first hour of the visit which was conducted in a small conference room, Dr. Ley spoke about addiction and the attributes of Suboxone to both undercover officers and two other subjects who were all seated together. During the second half of the visit Dr. Ley questioned each person in front of the others about if the person had pain issues and what drugs they used. Dr. Ley concluded the visit by assigning TFO Bonham to the Centerville office and TFO Cockrell to the Muncie office for future visits. TFO Bonham was supplied a telephone number to "Yvonne" as the DORN Centerville office point of contact, while TFO Cockrell was supplied a telephone number to "Jessica/Yvonne" as the DORN Muncie office point of contact.
- b. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on any of the two undercover officers or the other two patients during the entire visit.

106. On April 1, 2014, DEA TFO Dave Richardson acting in an undercover capacity met with Dr. Ley at his office at 23 East Main Street, Suite 200, Carmel, Indiana.

- a. At the conclusion of the approximate two hour visit TFO Richardson received a Suboxone prescriptions for "pain management" in exchange for \$300 cash. During the approximate first hour of the visit which was conducted in a small conference room, Dr. Ley spoke about addiction and the attributes of Suboxone to TFO Richardson and two other subjects who were all seated together. During the second half of the visit Dr. Ley questioned each person in front of the others about if the person had pain issues and the drugs they used. Dr. Ley concluded the visit by assigning TFO Richardson to the Kokomo office for future visits and supplied the name "Cassy" as the DORN Kokomo office point of contact.
- b. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on TFO Richardson or the other two patients during the entire visit. During the first hour of the visit, Dr. Ley was interrupted by Cassy Bratcher and appeared to sign two prescriptions for patients he did not see.

107. On April 10, 2014, DEA SA Mike Cline and Johnson County Detective Damien Katt acting in an undercover capacity met with Dr. Ley at his office at 23 East Main Street, Suite 200, Carmel, Indiana.

- a. At the conclusion of the approximate two hour visit SA Cline and Detective Katt received prescriptions for Suboxone that had no diagnosis listed in exchange for \$300 cash. During the approximate first hour of the visit which was conducted in a small conference room, Dr. Ley spoke about addiction and the attributes of Suboxone to

both undercover officers and one other subject who were all seated together. The other patient told Dr. Ley he had been to Dr. Ley's Noblesville's office "a few years ago" and continued to state, "I went and saw...", when Dr. Ley stated, "Andrew?" The patient replied "yeah." Investigators believe that the "Andrew" Dr. Ley was referring to is attorney Andrew Dollard. During the second half of the visit, Dr. Ley questioned each person in front of the others about if the person had pain issues and what drugs they used. Dr. Ley concluded the visit by assigning both undercover officers to the DORN Carmel office on Saturdays for future visits and supplied the names "Eric and Cassy" as the DORN-Carmel office points of contact.

- b. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on any of the two undercover officers or the other patient during the entire visit.
108. On April 16, 2014, TFO Andy Bonham acting in an undercover capacity traveled to the assigned DORN office located 801 Airport Road, Centerville, Indiana.
- a. Upon entering the DORN parking lot, TFO Bonham observed a large number of vehicles and people waiting. Prior to entering the office, TFO Bonham engaged several individuals in the lot who informed TFO Bonham that Dr. Vierk had already left the DORN office. Per these individuals, Vierk had written out multiple prescriptions prior to leaving so patients could still obtain medication. These individuals informed TFO Bonham that patients at this location would either be seen by Dr. Vierk or by Yvonne (Morgan) and be charged \$160 per month. Once inside the office and after a wait, TFO Bonham met with Yvonne Morgan and received a Suboxone prescription pre-signed by Dr. Vierk for "dependency associated with a chronic pain condition". During TFO Bonham's visit, Morgan stated that Dr. Vierk was not present.
  - b. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on TFO Bonham. TFO Bonham's exchange with Morgan lasted approximately 4 minutes 45 seconds.
109. On April 16, 2014, TFO Dave Richardson acting in an undercover capacity traveled to the assigned DORN office located 3827 South LaFountain Street, Kokomo, Indiana, and met with Joseph Mackey, Felicia Reid, and Cassy Bratcher.
- a. At the conclusion of the visit, TFO Richardson received a Suboxone prescription for "dependency" signed by Dr. Bangura in exchange for \$80.00 cash. TFO Richardson received his prescription from Bratcher as she handed out prescriptions to several other unknown patients in the DORN waiting room. Dr. Bangura never met with TFO Richardson during this visit.
  - b. At no time during this visit was a comprehensive interview conducted or a physical exam of any type performed on TFO Richardson. TFO Richardson's visit at DORN Kokomo lasted 13 minutes as he was required to submit a drug screen due to DORN's policy of testing all patients having insurance.

- c. Note: TFO Richardson's initial prescription from Dr. Ley was written for "pain management."
110. On April 23, 2014, TFO Tonda Cockrell acting in an undercover capacity traveled to the assigned LLC office located at 121 North High Street, Muncie, Indiana.
- a. TFO Cockrell met with office Assistant Jessica Callahan and received a Suboxone prescription for "continued treatment of chronic pain and secondary opiate dependency" from Callahan in exchange for \$160 cash. The prescription was signed by Dr. Ley and was dated April 17, 2014. At no time was Dr. Ley observed at the DORN Muncie office during TFO Cockrell's visit.
  - b. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on TFO Cockrell. According to a query of Indiana Professional Licensing Agency records, Callahan does not possess any type of healthcare related licensure. TFO Cockrell's exchange with Callahan lasted approximately seven minutes.
111. On April 25, 2014, SA Dan Schmidt acting in an undercover capacity traveled to the assigned DORN office located 813 Westfield Road, Noblesville, Indiana.
- a. At DORN Noblesville, SA Schmidt met with Office Assistant Derek Tislow and in exchange for \$80 was told that a Suboxone prescription would be "called in" later that day. The prescription when picked up by SA Schmidt was issued under Dr. Ley's DEA registration and had been called in per pharmacy records by "Andrew." At no time was Dr. Ley observed to be at the DORN-Noblesville office during SA Schmidt's visit. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on SA Schmidt. SA Schmidt's exchange with Tislow lasted approximately four minutes. During the visit, SA Schmidt observed several suspected prescriptions on Tislow's desk.
  - b. According to a query of Indiana Professional Licensing Agency records, Tislow does not possess any type of healthcare related licensure. Attorney Andrew Dollard was also in the waiting area of the DORN Noblesville office speaking to another person.
  - c. According to information posted on "LinkedIn", Tislow is a phone service salesman and the "Assistant Office Manager" at DORN. Tislow's profile includes the following statement. "I have collected over 1000 specimens and assisted several hundred patients in their recovery of heroin and opiate use."
112. On April 25, 2014, SA Matt Holbrook acting in an undercover capacity as traveled to the assigned DORN office located at 813 Westfield Road, Noblesville, Indiana.
- a. SA Holbrook met with DORN Office Assistant Derek Tislow and in exchange for \$85 was told that a Suboxone prescription would be "called in" later that day. The prescription when picked up SA Holbrook later that day was issued under Dr. Ley's

DEA registration and had been called in per pharmacy records by "Andrew Dollar." At no time was Dr. Ley observed to be present during SA Holbrook's visit.

- b. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on SA Holbrook. During this visit, SA Holbrook observed several suspect prescriptions located on Tislow's desk. SA Holbrook's exchange with Tislow lasted approximately five minutes. Attorney Andrew Dollard was also observed by SA Holbrook in the office waiting area speaking to another person.

113. On May 1, 2014, SA Mike Cline acting in an undercover capacity traveled to the assigned DORN office located at 23 East Main Street, Suite 200, Carmel, Indiana.

- a. SA Cline met with DORN Office Manager Cassy Bratcher and in exchange for \$120 received a Suboxone prescription for "dependency" signed by Dr. Larry Ley. SA Cline never visited with Dr. Ley during the approximate seven minute visit but briefly exchanged pleasantries outside the DORN restroom. SA Cline observed Bratcher print his Suboxone prescription from her desk, enter the conference room in which Dr. Ley was located, then exit the conference room, and give the prescription to SA Cline.

114. On May 3, 2014, Det. Damien Katt acting in an undercover capacity traveled to the assigned DORN office located at 23 East Main Street, Suite 200, Carmel, Indiana.

- a. Det. Katt estimated that the patient waiting line when he entered the second floor DORN office entrance was approximately 40 patients long and stretched along both sides of the DORN interior hallway down to the ground floor entrance steps. During Det. Katt's approximate 72 minute wait, Det. Katt conversed with several waiting patients one of which reported that he was diagnosed as "pain management" even though he was there for addiction. The same patient stated he had been coming to DORN for two years to get off heroin but was now addicted to Suboxone. The patient further stated that he was diagnosed with "pain management" even though he told Dr. Ley he was "banging two grams of heroin a day." Another patient stated that Dr. Ley puts people under pain management because he is limited to 100 patients for addiction. Det. Katt subsequently met with Office Manager Cassy Bratcher and Dr. George Agapios, who never identified himself. In exchange for \$120 cash, Det. Katt received a Suboxone prescription for "dependency" signed by Dr. Agapios. Det. Katt observed Bratcher print this Suboxone prescription from her computer where Dr. Agapios immediately signed it and gave it to Det. Katt. The entire visit from entering the office where Dr. Agapios, Bratcher, and Eric Ley sat to departing the office with the prescription, lasted took under two minutes.
- b. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on Det. Katt. Upon exiting the DORN office, another DORN patient approached Det. Katt and referred to DORN as "Shysters."



- c. Note: Seventy two minutes divided by an approximate 40 patients equates to 1.8 minutes per patient.
115. On May 14, 2014, TFO Andy Bonham acting in an undercover capacity traveled to his assigned DORN office located 801 Airport Road, Centerville, Indiana.
- a. Once inside the office and after a short wait, TFO Bonham met with Yvonne Morgan and received a Suboxone prescription for "chronic pain and secondary opiate dependency" pre-signed by Dr. Vierk from Morgan in exchange for \$160. Dr. Vierk was seated a short distance away from Morgan and only discussed the weather with TFO Bonham during his visit.
  - b. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on TFO Bonham. TFO Bonham's exchange with Morgan and Dr. Vierk lasted approximately 107 seconds.
116. On May 14, 2014, TFO Dave Richardson acting in an undercover capacity traveled to his assigned DORN office located at 3827 South LaFountain Street, Kokomo, Indiana, and met with Joseph Mackey and office assistant Felicia Reid. After submitting a urine screen (due to being an insurance patient) and paying \$160 cash, TFO Richardson received a Suboxone prescription for "dependency" from Reid that was signed by Dr. Bangura. Dr. Bangura was observed seated in the DORN-Kokomo waiting room but never introduced herself nor did she engage in any conversation with TFO Richardson.
- a. At no time during this visit was a comprehensive interview conducted or a physical exam of any type performed on TFO Richardson. TFO Richardson's visit at DORN Kokomo lasted approximately four minutes.
  - b. Note: TFO Richardson's initial prescription from Dr. Ley was written for "pain management."
117. On May 21, 2014, TFO Tonda Cockrell acting in an undercover capacity traveled to her assigned Living Life Clean office located at 121 North High Street, Muncie, Indiana.
- a. TFO Cockrell met with office Assistant Jessica Callahan and received a Suboxone prescription for "continued treatment of chronic pain and secondary opiate dependency" from Callahan in exchange for \$160 cash. The prescription was pre-signed by Dr. Ley, who was never observed to be present at DORN Muncie during the entirety of TFO Cockrell's visit. When asked, Callahan informed TFO Cockrell that Dr. Ley had left the office earlier that day.
  - b. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on TFO Cockrell. TFO Cockrell's exchange with Callahan lasted approximately four minutes.
118. On May 23, 2014, SA Matt Holbrook acting in an undercover capacity traveled to his assigned DORN office located at 813 Westfield Road, Noblesville, Indiana.



- a. SA Holbrook met with Office Assistant Derek Tislow and in exchange for \$160 cash was told that a Suboxone prescription would be "called in" later that day. The prescription when picked up at Walgreen's pharmacy by SA Holbrook later that day was issued under Dr. Ley's DEA registration and had been called in per pharmacy records by "Andrew Dollar." The "call in" had been saved on Walgreen's voicemail system. A copy of this voicemail was obtained by SA Holbrook. Andrew Dollard was never observed at DORN Noblesville during the entirety of SA Holbrook's visit. Dr. Ley was in the vicinity of DORN-Noblesville and had briefly greeted SA Holbrook as he walked in and out of the DORN-Noblesville suite.
  - b. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on SA Holbrook. During this visit, SA Holbrook observed several suspected prescriptions on Tislow's desk. SA Holbrook's exchange with Tislow lasted approximately 3½ minutes.
119. On May 23, 2014, SA Dan Schmidt acting in an undercover capacity traveled to his assigned DORN office located at 813 Westfield Road, Noblesville, Indiana.
- a. SA Schmidt met with Office Assistant Derek Tislow and in exchange for \$160 was told that a Suboxone prescription would be "called in" later that day. The prescription when later picked up by SA Schmidt was issued under Dr. Ley's DEA registration and had been called in per pharmacy records by "Andrew". At no time was Andrew Dollard observed at DORN Noblesville during SA Schmidt's visit. Dr. Ley was in the vicinity of DORN-Noblesville and had exchanged greetings with SA Schmidt as he walked in and out of the DORN suite.
  - b. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on SA Schmidt. During this visit, SA Schmidt observed several suspected prescriptions on Tislow's desk. SA Schmidt's exchange with Tislow lasted approximately three minutes.
120. On May 29, 2014, Det. Katt acting in an undercover capacity telephoned DORN Carmel at 317-582-0555.
- a. Det. Katt informed a female employee that he would be unable to make his appointment on May 31, 2014. The female then advised Det. Katt to send a letter and office visit fee with SA Cline (who was also acting in an undercover capacity) on May 31, 2014, and DORN would call in a Suboxone prescription for Det. Katt on June 2, 2014. This telephone call was audio recorded. On May 31, 2014, SA Cline provided DORN employee Cassy Bratcher with Det. Katt's letter and \$120 in cash. On June 2, 2014, Det. Katt subsequently picked up the Suboxone from the Greenwood 65 Low Cost Rx.
  - b. Per pharmacy records, the Suboxone prescription was issued for "Opiate Dependency" using Dr. Ley's DEA Registration. The prescription had been called into the pharmacy on June 2, 2014 by "Kathy at 582-0555."

121. On May 31, 2014, SA Cline acting in an undercover capacity traveled to his assigned DORN office at 23 East Main, Suite 200, Carmel, Indiana.

- a. SA Cline estimated that the patient waiting line when he entered the second floor DORN office entrance was approximately 22 patients long. SA Cline remained in line for approximately 70 minutes and subsequently met with Office Manager Cassy Bratcher and Dr. George Agapios. In exchange for \$120 cash, SA Cline received a Suboxone prescription for "dependency" signed by Dr. Agapios. SA Cline observed Bratcher print his Suboxone prescription from her computer where Dr. Agapios immediately signed it and gave it to SA Cline. The entire visit from entering the office where Dr. Agapios, Bratcher and Eric Ley sat to departing the office with the prescription took three minutes and 18 seconds with much of the time spent discussing how SA Cline could pay for Det. Katt's \$120 prescription (see above).
- b. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on SA Cline.
- c. Note: Seventy minutes divided by approximately 22 patients equates 3.2 minutes per patient).

122. On June 11, 2014, TFO Andy Bonham acting in an undercover capacity traveled to his assigned DORN office located at 801 Airport Road, Centerville, Indiana.

- a. Upon entering the DORN parking lot, TFO Bonham observed numerous vehicles and people waiting. After an 83 minute wait, TFO Bonham met with Yvonne Morgan and received a Suboxone prescription for "chronic pain and secondary opiate dependency" pre-signed by Dr. Vierk from Morgan in exchange for \$160 cash. Dr. Vierk was seated a short distance away from Morgan and at one point asked TFO Bonham if his dosage was doing good and how much Suboxone he was on.
- b. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on TFO Bonham. TFO Bonham's exchange with Morgan and Dr. Vierk lasted approximately 99 seconds.

123. On June 11, 2014, TFO Dave Richardson acting in an undercover capacity traveled to his assigned DORN office at 3827 South LaFountain Street, Kokomo, Indiana where he met with Joseph Mackey, Felicia Reid, and Cassy Bratcher.

- a. TFO Richardson received a two week prescription for Suboxone signed by Dr. Bangura but never met with Dr. Bangura. TFO Richardson was told by Cassy Bratcher that TFO Richardson had to "exit" from the program due to TFO Richardson's urine drug screens failing to show buprenorphine in his system. TFO Richardson, who was using an undercover Medicaid card, had been asked to provide urine at previous undercover visits but observed other patients without insurance, whom did not have to submit urine. Upon entrance to the DORN Kokomo office everyone was asked if they had insurance or not. Those with insurance were drug screened, while those without insurance were not.

- b. At no time during this visit was a patient comprehensive interview conducted or a physical exam of any type performed on TFO Richardson.
124. On June 18, 2014, TFO Tonda Cockrell acting in an undercover capacity traveled to her assigned Living Life Clean office located at 121 North High Street, Muncie, Indiana.
- a. TFO Cockrell met with Yvonne Morgan and received a Suboxone prescription from her that was signed by Dr. Ley in exchange for \$160 cash. At no time was Dr. Ley observed at the DORN Muncie office during TFO Cockrell's visit.
  - b. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on TFO Cockrell. TFO Cockrell's exchange with Morgan lasted approximately 93 seconds.
125. On June 20, 2014, SA Matt Holbrook acting in an undercover capacity traveled to his assigned DORN office located at 813 Westfield Road, Noblesville, Indiana.
- a. SA Holbrook met with Office Assistant Derek Tislow and in exchange for \$160 cash received a Suboxone prescription for "chronic pain and secondary opiate dependency" from Tislow pre-signed by Dr. Ley. Prior to meeting with Tislow, SA Holbrook observed Dr. Ley hand Tislow several suspected prescriptions - one of which Tislow later handed to SA Holbrook. Dr. Ley sat in the corner of Tislow's office during SA Holbrook's visit and only asked SA Holbrook two questions (if things were going okay and if SA Holbrook had any questions).
  - b. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on SA Holbrook. SA Holbrook's exchange with Tislow and Dr. Ley lasted approximately 80 seconds.
126. On June 20, 2014, SA Dan Schmidt acting in an undercover capacity traveled to his assigned DORN office at 813 Westfield Road, Noblesville, Indiana.
- a. SA Schmidt met with Office Assistant Derek Tislow and in exchange for \$160 received a Suboxone prescription for "chronic pain and secondary opiate dependency" from Tislow pre-signed by Dr. Ley. SA Schmidt observed Tislow sort through numerous suspected prescriptions until Tislow found the one issued to SA Schmidt's undercover name. Dr. Ley sat in the corner of Tislow's office during SA Schmidt's visit and asked two questions (if everything was pretty normal and if work was going okay).
  - b. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on SA Schmidt. SA Schmidt's exchange with Tislow and Dr. Ley lasted approximately 39 seconds.
127. On June 28, 2014, TFO Andy Bonham using Det. Katt's undercover name traveled to the DORN office located at 23 East Main Street, Suite 200, Carmel, Indiana.

- a. TFO Bonham arrived at DORN Carmel approximately 10 minutes prior to opening and at that time observed approximately 13 people already waiting line at the DORN office entrance. After also waiting in line, TFO Bonham eventually met with Office Manager Cassy Bratcher and Dr. Agapios. TFO Bonham provided Det. Katt's undercover name and in exchange for \$120 cash received a Suboxone prescription in Det. Katt's undercover name for "dependency" signed by Dr. Agapios. TFO Bonham observed Bratcher print the Suboxone prescription from her computer where Dr. Agapios immediately signed it and gave it to TFO Bonham. Approximately 47 seconds after sitting down in the office where Dr. Agapios, Bratcher, and Eric Ley were, TFO Bonham began to exit the office with the Suboxone prescription. As TFO Bonham was about to leave DORN-Carmel, Bratcher and Eric Ley informed TFO Bonham that he needed to take a urine screen. TFO Bonham then walked to an area near the DORN office restrooms and met with Derek Tislow who was conducting the drug screens. TFO Bonham claimed to not be able to provide for a screen at that time and stated that he needed to catch his ride to work. After TFO Bonham refused the screen, Tislow went to discuss the situation with Eric Ley. Tislow then returned and informed TFO Bonham that the Suboxone prescription provided would be an "exit" prescription.
- b. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on TFO Bonham.

128. On June 28, 2014, SA Cline acting in an undercover capacity traveled to his assigned DORN office located at 23 East Main Street, Suite 200, Carmel, Indiana.

- a. SA Cline joined the line waiting to be seen at DORN Carmel and eventually met with Office Manager Cassy Bratcher and Dr. Agapios. See photo below. After providing his undercover name, SA Cline paid \$120 cash and in exchange received a Suboxone prescription for "dependency" signed by Dr. Agapios. SA Cline observed Bratcher print the Suboxone prescription from her computer where Dr. Agapios immediately signed it and gave it to SA Cline.



Figure 14: DORN-Carmel, June 28<sup>th</sup> at 6:59 a.m.



- b. At no time during this visit was patient identification requested, a comprehensive interview conducted, or a physical exam of any type performed on SA Cline. The entire visit from entering the office where Dr. Agapios, Bratcher, and Eric Ley sat to departing the office with the prescription lasted approximately 76 seconds.
129. On July 19, 2014, TFO Tonda Cockrell and TFO David Richardson conducted surveillance on the DORN office at 3827 S. Lafountain Street, Kokomo, Indiana in an attempt to identify the parking lot "arranger" known as "Joe." TFO Cockrell observed Dr. Bangura, Cassy Bratcher, Felicia Reid and "Joe" at the premises. "Joe" was seen going in and out of the building and interacting with persons and vehicles in the parking lot. Cassy Bratcher was seen leaving around 6:55 p.m. She was followed by surveillance officers to the Key Bank at 300 Southway Blvd. where she made a bank deposit. "Joe" was observed leaving around 7:17 p.m. in a Chevy Suburban. He was stopped by Kokomo Police Sgt. David Foster for a traffic violation. He was identified by Sgt. Foster as Joseph A. Mackey.

***ASSESSMENT OF POSSIBLE DIVERSION  
BY DORN/LIVING LIFE CLEAN PATIENTS***

130. As earlier documented in paragraph 25, AD#5 stated, during a December 11, 2013, interview with DEA investigators, that patients had told him that Dr. Ley's patients were known for selling their Suboxone medication.
131. During a follow-up interview DEA investigators had with AD#7 on June 5, 2014, AD#7 stated that patients had told him of people who were going to Dr. Ley in order to obtain Suboxone to sell. Per AD#7, supposedly this was common knowledge regarding Dr. Ley's practice.
132. Also earlier documented in paragraph 24 above, CP#1 stated during a December 6, 2013, interview with investigators that in the DORN-Kokomo parking lot people were conducting drug deals and discussing how they were going to sell their medication.
133. On January 11, 2013, a confidential informant working with the Henry County Drug Task Force purchased Suboxone film from DORN patient Jeremy Mettert at a cost of \$20 per film. Subsequently, an arrest warrant was issued charging Mettert for Dealing in a Schedule III Controlled Substance and Maintaining a Common Nuisance. As a result, Mettert was arrested on August 8, 2013. INSPECT records displayed that Mettert had been regularly receiving Suboxone prescriptions from Dr. Vierk beginning in March 2010 through July 2013.
134. During an interview DEA investigators had with PH#2 on December 19, 2013, PH#2 stated that on the evening of December 4, 2013, a Dr. Vierk patient named Angela Jones filled a Suboxone prescription at PH#2's pharmacy. A little while later after closing the store, PH#2 went outside to the parking lot and observed Jones in a car with two men sharing



the medication. INSPECT records displayed that Jones had been a regular recipient of Suboxone prescriptions from March 2013 through December 2013. Per INSPECT, initial Suboxone prescriptions to Jones were issued by Dr. Ley and subsequent Suboxone prescriptions to Jones were issued by Dr. Vierk.

135. On June 23, 2011, DORN patient Jessica Daniel died in Delaware County due to mixed drug intoxication.

- a. Toxicology reports displayed that Daniel tested positive for alprazolam, amphetamines, cannabinoids, and Methadone. (Note: This toxicology test did not test for Suboxone). INSPECT records displayed that Daniel had regularly received Suboxone prescriptions from Dr. Ley beginning in November 2010 and last received a Suboxone prescription for 21 film (a 14 day supply) written by Dr. Ley on June 22, 2011 (the day before her death). A Muncie Police Department report and the final autopsy report both noted that only six of the 21 Suboxone films prescribed to Daniel could be accounted for on the day of her death.
- b. On June 7, 2014, DEA investigators interviewed Richard Pedigo, who was Daniel's live-in boyfriend that was present at the time of Daniel's death. Pedigo stated he began dating Daniel in 2009 after meeting her at Narcotics Anonymous meetings. According to Pedigo, Daniel had relapsed a few times while they dated. Pedigo stated that he had just bought the house Daniel passed away in approximately one month prior to her death. Daniel, who was unemployed after losing her job as a waitress a couple of months prior to her death, was staying at the house supposedly to help clean it up. Pedigo stated that in hindsight, Daniel was instead using the house as a place to "get hammered" as no work was getting done that Daniel was supposed to do. Pedigo claimed that after Daniel died, he found needles and burnt spoons in the house. Pedigo stated that Daniel was a lifelong resident of Muncie and would buy drugs off people she knew in the area. Pedigo was aware that Daniel was obtaining Suboxone prescriptions from the Living Life Clean (a/k/a DORN) office located on High Street in Muncie. Pedigo stated that Daniel would go to the DORN-Muncie practice on a monthly basis. Pedigo went with Daniel once to DORN-Muncie but waited in the lobby while Daniel met with DORN personnel. Pedigo did not know who Daniel actually saw during her visits at DORN-Muncie. Per Pedigo, as far as he knew, Daniel was never required to take a drug test at DORN-Muncie. Pedigo claimed to not have knowledge of Daniel trading her Suboxone for other drugs, but stated that it would not surprise him if she did.

136. According to Indiana Department of Corrections Kurt Bensheimer, Deputy Chief – Security Threat Group Operations, Indiana Department of Corrections Police, as of May, 2014, Suboxone and tobacco were the two most common items smuggled into Indiana state prisons.

***BUPRENORPHINE / SUBOXONE FOR PAIN TREATMENT  
AND  
CONSULT WITH TIM E. KING, M.D.***

137. According to Dr. Tim E. King, a recognized Indiana pain expert and practicing anesthesiologist, "buprenorphine is indicated for the treatment of pain as well as for the maintenance of opioid dependence. Typically, buprenorphine would be prescribed as a pure formulation (e.g., Butrans patch) if used for treatment of moderate or severe chronic pain. If used for maintenance of addiction, the medication of choice would be Suboxone. Suboxone is a mixed formulation composed of buprenorphine plus naloxone. If an addict attempts to inject or snort Suboxone, then the naloxone component reverses all narcotic effect of the buprenorphine, thus rendering the medication useless for addiction purposes
138. Per Dr. King, Buprenorphine is a unique pain medication, and generally not the first choice for treatment of chronic pain. Opiates such as morphine or oxycodone would be more conventional choices, particularly since these two medications are available as controlled release formulations. Suboxone would not be the medication of choice for chronic pain because naloxone is not a necessary or desirable component of pain treatment. The treatment of chronic pain must not be opiate-centric. Chronic pain treatment is complex and must include a multidisciplinary approach inclusive of additional treatment options, such as other medications, physical therapy, injections, and psychological counseling.
139. According to Dr. King, "in general it is unrealistic for any doctor, whether an addiction or pain management specialist, to adequately evaluate or treat 80-100 patients over a 3-hour period. It is additionally unrealistic, as well as highly unconventional, to assume that one doctor could perform an initial pain or addiction evaluation, and then assign the patient to another doctor for exclusive buprenorphine/Suboxone treatment. This would not be a professionally recognized or medically sound method of chronic pain or addiction management."
140. During June 2014, Dr. King reviewed the twenty-one (21) videos and prescriptions of the previously mentioned seven undercover agents which occurred from March through May of 2014. He opined the following:
- a. "Dr. Ley was issuing prescriptions outside the course of accepted medical practice. The clinic was run as a pill mill and lacked medical legitimacy" in regards to SA Schmidt's undercover visits (see paragraphs 104, 111, and 119 above).
  - b. "Controlled substance were not issued for a legitimate medical purpose, nor were they issued in the usual course of medical practice. The requirement for cash payment, the lack of a legitimate medical office, and the absence of any clinical exam suggest a pill mill operation rather than a legitimate medical practice" in regards to SA Holbrook's undercover visits (see paragraphs 104, 112, and 118 above).

- c. "Controlled substances were not issued in the usual course of medical practice" in regards to TFO Richardson's undercover visits (see paragraphs 106, 109, and 116 above).
  - d. "Controlled substances were prescribed without a valid medical purpose. The clinic was a sham medical operation that facilitated issuance of Suboxone without a legitimate medical foundation. Prescriptions were not issued in the usual course of medical practice" in regards to TFO Cockrell's undercover visits (see paragraphs 110 and 117 above).
  - e. "Controlled substances were not issued in the usual course of medical practice" in regards to TFO Bonham's undercover visits (see paragraphs 105, 108, and 115 above).
  - f. "Suboxone was prescribed without a legitimate medical purpose. Prescriptions were issued as part of a pill mill operation, and not in the course of usual or acceptable medical practice" in regards to SA Cline's undercover visits (see paragraphs 107, 113, and 121 above).
  - g. "Controlled substance prescriptions (Suboxone) were not issued for a legitimate medical purpose, nor were they issued in the usual course of a medical practice. The DORN clinic was operating as a pill mill, and did not medically screen or provide legitimate medical services to patients claiming addiction diagnoses" in regards to Det. Katt's undercover visits (see paragraphs 107, 114, and 120 above).
141. According to Dr. King, one four mg. dose of Suboxone exceeds the 15mg daily dose requirement and the new Indiana prescribing rules abide. (As mentioned previously, Dr.'s Ley, Agapios, Bangura and Vierk are routinely prescribing Suboxone and investigators believe that none of the doctors have applied the new opioid prescribing rules.)

***CONSULT WITH R. ANDREW CHAMBERS, M.D.***

142. On January 10, 2014, investigators met with Dr. R. Andrew Chambers. Dr. Chambers is an associate professor of psychiatry at the Indiana University School of Medicine. Dr. Chambers is the Director of Addiction Psychiatry Training Program and also a practicing addiction treatment doctor who utilizes Suboxone.
143. Dr. Chambers opined that he could see no possible way that an addiction treatment doctor could see approximately 100 patients within a three hour time frame. Dr. Chambers stated that having 10 to 20 patients lined up outside the office before opening time was not normal and it was not normal for one doctor to conduct the initial meeting with a patient and then farm out the patients to another doctor.

144. During June 2014, Dr. Chambers, reviewed the twenty-one (21) videos and prescriptions of the previously mentioned seven undercover agents which occurred from March through May of 2014. Dr. Chambers opined the following in his summary report:

- a. "The data demonstrates that the DORN clinic; directed by Dr. Ley and in collaboration with Drs. Agapios, Bangura and Vierk, are engaged in a profit-centered operation of selling Suboxone prescriptions that does not encompass adequate, safe or acceptable stands of care or professional intervention for opioid dependence. The methods utilized by the clinic and the colluding physicians writing Suboxone scripts, unambiguously reveal an operation that is optimizing the sale of opioid prescriptions in order to maximize profit, at the expense of clinical standards, but under the banner of legally conducted, evidence based professional care. In other words, in my opinion, the DORN clinic represents and opioid dealing operation in which the physicians involved have conspired to use their professional authorities and reputations, and the cover of medical practice and authority, to maximize personal financial gains at the expense acceptable of clinical standards. These actions are 1) exploitative and dangerous to the clients DORN has engaged who are suffering with mental illnesses and opioid addictions; 2) fraudulent to private and government health insurance companies and individual patients, that may be supporting pharmacy costs for opioid prescriptions sold by DORN; 3) harmful and threatening to the reputation and existence of standard evidence-based practices, treatment centers and well-trained practitioners who treat opioid dependent patients; and 4) instantiate a general public health threat, raising the likelihood and risk of iatrogenic diversion (entry of inappropriately prescribed opioids into illicit bartering and sale). In my opinion the actions of Dr. Ley and the conspiring physicians shown in this evidence is outside the boundary of ethics and clinical practice that is customarily taught in U.S. medical schools, and expected of adequately trained licensed physicians, spanning all the clinical disciplines and subspecialties."

*CONCLUSIONS, REQUESTS, AND AFFIRMATION*

145. The prescribing practices of the doctors and staff affiliated with DORN and Living Life Clean have been outside of the usual course of medical practice so dramatically that the provision of prescriptions amounts to dealing in the subject controlled substance.

[REDACTED]

[REDACTED]

[REDACTED]

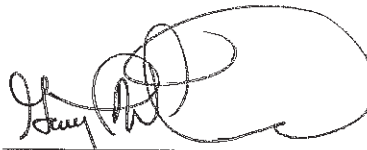
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[REDACTED]

I hereby affirm, under the penalty of perjury as specified by IND. CODE § 35-44.1-2-1, that the foregoing representations and those within the attachments are true to the best of my knowledge and belief.

7/24/14  
DATE

  
SIGNATURE OF AFFIANT  
Gary L. Whisenand